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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Initial reports submitted by States parties under articles 16 and 17 of the Covenant

Addendum

[Original: RUSSIAN]

KYRGYZSTAN

[5 May 1998]

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CONTENTS

	Paragraphs	Page
Introduction	1 - 4	3
Information on the implementation of articles 1 to 15	5 - 261	3
Article 1	5	3
Article 2	6	3
Article 3	7 - 12	3
Article 4	13 - 15	6
Article 5	16 - 17	7
Article 6	18 - 64	7
Article 7	65 - 85	19
Article 8	86 - 104	22
Article 9	105 - 143	25
Article 10	144 - 165	33
Article 11	166 - 190	38
Article 12	191 - 214	45
Article 13	215 - 232	50
Article 14	233 - 238	56
Article 15	239 - 261	56

Introduction

1. The Kyrgyz Republic acceded to the International Covenant on Economic, Social and Cultural Rights on 7 October 1994.

2. This report has been prepared on the basis of the general guidelines as to the form and content of initial reports, in accordance with article 16, paragraph 1 (a), of the International Covenant on Economic, Social and Cultural Rights. The report uses information received from the ministries, State committees and administrative departments of the Kyrgyz Republic responsible for issues pertaining to the status of individuals in the Republic and the exercise of their rights, and also from social organizations working in the field of human rights. The report gives a general outline of the status of citizens in the Kyrgyz Republic, thus reflecting the interrelationship with current social and economic processes. It also gives article-by-article information on: the measures which Kyrgyzstan has undertaken to meet its commitments under the Covenant; the progress that has been made; the problems that have been encountered; and the steps that are planned for the further implementation of the Covenant.

3. The report analyses the basic legislative instruments of the Kyrgyz Republic, including the laws of the Kyrgyz Soviet Socialist Republic and the USSR still in force and legislation adopted in the process of implementing the provisions of the International Covenant on Economic, Social and Cultural Rights. The annexes reproduce the texts of statutory and other regulatory instruments and additional pertinent information.

4. The task of broadly familiarizing the public with the material contained in this report was initiated as the report was being written. In line with the ordinance of the Government of Kyrgyzstan of 27 June 1997, a special commission comprising representatives of governmental and judicial structures was established to write the report. The commission held a number of meetings and consultations. The draft report was sent to all ministries, government committees, administrative departments and non-governmental organizations, and their remarks and wishes were taken into account in the final version.

Information on the implementation of articles 1 to 15

Article 1

5. Information on this article is contained in the report submitted by the Kyrgyz Republic concerning the International Covenant on Civil and Political Rights (CCPR/C/113/Add.1).

Article 2

6. Information on this article is contained in the report submitted by the Kyrgyz Republic concerning the International Covenant on Civil and Political Rights.

Article 3

7. The Kyrgyz Constitution provides, in article 15, paragraph 3, that no person shall be subjected to any kind of discrimination or violation of their rights and freedoms on the grounds of origin, sex, race, nationality,

language, religion, political or religious convictions, or for any other circumstances or factors of a private or public nature. This principle is also embodied in article 11 of the new Labour Code of the Kyrgyz Republic.

8. As of 1 January 1997 there were 2.3 million women in the Kyrgyz Republic (51 per cent of the total population). According to the 1989 census, only 0.7 per cent of men and 1 per cent of women aged 50 or more had never been married. Over 60 per cent of women aged 16 or above are married and approximately 80 per cent of children are born to couples in a registered marriage.

9. The number of women in employment is currently approximately 836,000 (50.8 per cent of the workforce). In all economic sectors, women perform low-paid and low-prestige jobs at the middle and lower levels. Declining output, job cuts in enterprises and organizations, particularly in those sectors which make the widest use of female labour, and low wages have led to a fall in the number of women in employment. The rate of female unemployment varies between 75.9 and 79.7 per cent in almost every region of the Kyrgyz Republic. Female unemployment is largely bound up with the fact that in light industry and the food industry, where the bulk of the workforce is female, reductions in output have occasioned heavy job-cutting and women have been first in line for redundancy.

10. Women face significant hurdles when they embark on the search for another job. Openings in the labour market rarely coincide with their professional aspirations. There has been an exodus of the able-bodied rural population (the bulk of which is female) from the land.

11. Against the backdrop of unfavourable labour market indicators the position of women is particularly precarious. Enterprises are resorting to mass lay-offs on the heels of a forced reduction in their output and female workers have been first in line for redundancy. The migration of the rural population to the towns in search of work is fuelling a rapid increase in urban unemployment, particularly female unemployment. Approximately 40 per cent of the unemployed are typically young people aged between 16 and 29, and 60 per cent of these are women. As of 1 January 1998, women accounted for 58 per cent of the total number of officially registered unemployed.

Women as a proportion of the total number of unemployed compared with the corresponding period the previous year, by region (as of 1 January 1998)

Bishkek	64% (63.6%)
Jalal-Abad oblast	57% (54%)
Issyk-Kul oblast	63% (62.6%)
Naryn oblast	49% (50%)
Osh oblast	49% (46%)
Talas oblast	51.1% (54%)
Chu oblast	69.6% (71.4%)

Numbers of women and women as a proportion of the total workforce employed in adverse working conditions in selected sectors of industry

	1994	1995	1996
Industry			
Total number of female employees	10 634	4 827	11 000
% of total workforce	38.5	29.3	41.0
Construction			
Total number of female employees	149	170	168
% of total workforce	8.4	16.3	7.9
Transport			
Total number of female employees	392	339	635
% of total workforce	16.6	22.7	17.7
Communications			
Total number of female employees	40	105	799
% of total workforce	85.1	41.2	59.9

12. There is almost no female illiteracy in Kyrgyzstan and there is no discrimination in access to education. The very high rate of female literacy and women's high level of educational attainment are real success stories. Only 4.7 per cent of the total female population is currently illiterate. Women account for over 51 per cent of the total student body in higher educational establishments and specialized secondary-education institutions. They constitute the principal human resource in the fields of education, science and science services. However, the level of educational attainment among females is somewhat lower than among males. Of every 1,000 males aged 15 or above, 883 possess secondary and higher education compared with 806 females per 1,000. Female illiterates outnumber males, particularly in the 45+ age range. At the start of the 1996/1997 academic year, women accounted for 51.3 per cent of the student body in higher educational establishments and 64 per cent in specialized secondary-education institutes.

Female students attending higher and specialized secondary-education institutes expressed as a percentage of the total student body

	1994/1995	1995/1996	1996/1997
Percentage of female students attending higher educational institutes	60	52	51
Of which, educational institutes specializing in:			
Industry and construction	33	35	35
Agriculture	22	31	32
Economics	21	49	53
Health care, physical education and sport	57	52	53
Education	66	64	62
Arts	60	62	57
Percentage of female students attending specialized secondary-education institutes	61	63	64
Of which, educational institutes specializing in:			
Industry and construction	44	42	42
Transport	5	6	6
Agriculture	28	37	43
Economics	70	74	77
Health care, physical education and sport	88	88	89
Education	87	89	86
Arts	62	68	70

Article 4

13. Under article 17, paragraph 2, of the Constitution, neither the Constitution nor other laws may permit restrictions on the exercise of rights and freedoms for any other purpose than to protect the rights and freedoms of others, public safety or the constitutional order. In such instances, the substance of the constitutional rights and freedoms remains unaffected.

14. The Ccnstitution prohibits calling upon citizens to perform forced labour other than in wartime or the aftermath of natural calamities, epidemics or other emergencies, or in execution of a sentence handed down by a court of law.

15. The organs of the Procurator's Office supervise compliance with the legislation of the Kyrgyz Republic. In 1996/1997, following procuratorial checks and reports, 207 officials received disciplinary or administrative sanctions for the commission of various violations of citizens' social rights. For example, in compliance with the Timely Payment of Wages, Pensions, Benefits and other Social Disbursements Act, organs of the Procurator's Office compiled 285 reports and filed 133 lawsuits, resulting in material compensation to citizens in the amount of 7,623,575 som.

Article 5

16. Article 12, paragraph 3, of the Constitution stipulates that inter-State treaties and other rules of international law which have been ratified by the Kyrgyz Republic form an integral and directly applicable part of Kyrgyz law. Information on accession to and ratification of international agreements may be found in the core document (HRI/CORE/1/Add.101).

17. Article 16, paragraph 1, of the Constitution stipulates that the Kyrgyz Republic recognizes and guarantees fundamental human rights and freedoms in accordance with universally accepted principles and standards of international law and the inter-State treaties and agreements concerning human rights which have been ratified by the Kyrgyz Republic.

Article 6

18. According to article 16 of the Constitution, everyone in the Kyrgyz Republic enjoys the right to economic freedom, free use of their abilities and property for any type of economic activity, freedom of labour and the right freely to choose their occupation or profession. Under article 2 of the former Code of Labour Laws of the Kyrgyz Republic, it was incumbent on the State to safeguard citizens' right to work, including the right to choose their profession and line of employment or work in accordance with their inclinations, abilities, vocational training and education and taking account of social requirements. Under article 14 of the new Labour Code, every citizen of the Kyrgyz Republic has the right to engage in self-employed or non-self-employed activity. Any authorized type of work may be chosen as a profession. Self-employed labour activity includes the right to establish new enterprises, participate in an existing enterprise or organize cooperatives and such organizations jointly with other persons for mutual profit. Non-self-employed labour activity includes the right freely to choose one's place of work, to submit a job application where a vacancy exists and, where there is a choice of candidates, not to be placed at a disadvantage for non-existent reasons. There is no charge for job-placement services provided by the State.

19. Workers have the right to realize their potential through their work. The organization of labour must tend towards an enlargement of workers' freedom of action, a release of their creative capacities and the avoidance of excessive demands on the workforce.

20. The overall situation on the Kyrgyz labour market may be described as follows. As a result of the transformation in forms of ownership, the workforce in the State sector had, by 1996, declined in the space of three years from 686,000 to 455,000, a drop of 34 per cent.

On the other hand, the workforce in the non-State sector rose commensurately from 959,000 to 1,197,000, or by a factor of 1.2.

21. It should be noted that the labour market difficulties arose against a backdrop of growth in the total population, labour resources and the economically inactive population. Over the period 1991-1996, the country's population increased by 4.2 per cent, labour resources by 6 per cent and the economically inactive population by 70 per cent. However, the economically inactive population increased only slightly as a proportion of labour resources: from 15 to 24 per cent. There has also been a decline in the economic activity of women: in 1992 women comprised 49.4 per cent of the workforce, compared with 48.8 per cent in 1996. Similarly, the economic activity of citizens who have reached pensionable age has dwindled. In 1991, 1 in every 8 pensioners worked; now only 1 in 20 is engaged in useful work.

Size of the economically active population

	Number of people (thousands)			Percentage of the economically active population		
	1994	1995	1996	1994	1995	1996
Economically active population (total)	1 716.0	1 741.7	1 791.5	100	100	100
Males	875.0	894.4	958.9	100	100	100
Females	841.0	847.3	832.6	100	100	100
Economically active population actually in work (total)	1 645.4	1 641.7	1 651.5	95.9	94.3	92.2
Males	847.4	853.7	897.0	96.8	95.4	93.5
Females	798.0	788.0	754.5	94.9	93.0	90.6
Unemployed (total)	70.6	100.0	140.0	4.1	5.7	7.8
Males	27.6	40.7	61.9	3.2	4.6	6.5
Females	43.0	59.3	78.1	5.1	7.0	9.4
Of whom, persons officially registered with the State Employment Services (total)	12.6	50.4	77.2	0.7	2.9	4.3
Males	4.9	20.5	32.5	0.6	2.3	3.4
Females	7.7	29.9	44.7	0.9	3.5	5.4
Of whom, recipients of unemployment benefit	7.9	28.9	25.2	0.5	1.7	1.4
Males	3.2	11.9	9.9	0.4	1.3	1.0
Females	4.7	17.0	15.3	0.6	2.0	1.8

The Kyrgyz labour market in 1997

22. In 1997, a total of 143,000 people sought help from the State Employment Service. Of this total:

81,000 people were registered as looking for employment;

62,000 people received advice on changing their place of work, labour law, vocational training, etc.;

22,900 people were placed in employment;

57,900 people were accorded unemployed status;

5,400 people were assigned to vocational training and retraining programmes;

11,800 people were assigned to community work;

4,100 unemployed citizens concluded contracts with the Employment Service to launch their own business;

The number of job vacancies on which the State Employment Service held information increased from 1,525,000 to 1,985,000;

The number of candidates per vacancy (including unemployed people and persons without an occupation) fell during the year from 80 to 37.

Persons seeking jobs through the State Employment Service

23. In 1992, 15,600 job-seekers applied to the Employment Service for help in finding work (56 per cent of the total number of visitors to the Service). In 1996 the figure climbed to 54,000 (54 per cent of all visitors) and in the first nine months of 1997 job-seekers accounted for 52 per cent of all visitors. Of the job-seekers, 5,200 were placed in employment in 1992, 7,400 in 1996 and 5,600 in the first nine months of 1997.

24. In all, 143,000 people, including 81,000 job-seekers, sought help from the Kyrgyz Employment Service in 1997. There were 18,700, or 23 per cent, fewer job-seekers in 1997 than in 1996. The nationwide average monthly total of applicants was 6,700. Applicants were most numerous in Osh oblast (35.8 per cent), Chu oblast (15.7 per cent) and Jalal-Abad oblast (18.1 per cent). Females comprised 52.5 per cent of all applicants, Kyrgyz nationals 55.4 per cent and people aged 29 or younger 31.2 per cent. Among job-seekers, manual workers accounted for 55.4 per cent, non-manual workers for 26.5 per cent and first-time job-seekers for 18.1 per cent. Of the total number of job-seekers, 1.3 per cent were graduates of higher educational institutions, 2.0 per cent were graduates of specialized secondary-education institutions, 3.1 per cent were graduates of vocational and technical colleges, and 4.9 per cent were school leavers.

Job placement by offices of the State Employment Service

	Number of inquirers about job placement				Number placed in employment			
	1994	1995	1996	1997	1994	1995	1996	1997
Total	42 414	98 233	99 761	80 986	10 246	10 189	14 396	22 898
of which:								
Persons out of work	42 306	98 005	99 664	80 986	10 190	10 143	14 394	22 898
of which:								
Pensioners	311	524	39	77	43	31	5	13
Persons in work	62	200	5	0	10	30	2	0
of which:								
Persons wishing to work outside their main working hours	42	13	0	0	9	1	0	0
Students wishing to work outside study time	46	28	2	0	46	16	0	0

25. In 1997, the number of people utilizing advisory services on various issues fell by 25.5 per cent compared to 1996 and totalled 62,000. These services were most frequently used in Chu oblast (24.3 per cent), Osh oblast (26.1 per cent) and Jalal-Abad oblast (23.8 per cent).

26. In 1997 approximately half (49.0 per cent) of the registered unemployed left their previous job voluntarily. At first sight, this high turnover seems strange, considering that the demand for labour is negligible. However, there are grounds for believing that the majority of workers who leave their jobs voluntarily do so because of lengthy stoppages in production and irregular payment of wages. Lay-offs from enterprises and organizations accounted for 24.3 per cent of the registered unemployed.

Unemployment

27. According to article 2 of the Employment Act, unemployed persons are defined as able-bodied citizens not gainfully occupied who are registered with the State Employment Service for the purpose of seeking suitable work and are willing to accept it, but to whom the Employment Service has not proposed such work. Citizens under the age of 16 and citizens who are legally entitled to draw a pension (other than recipients of a category 3 disability pension) cannot be classed as unemployed.

28. The State guarantees unemployed citizens:

Unemployment benefit;

Remuneration for work performed on paid community projects;

Subsistence allowances during vocational training, skills-enhancement and retraining (Employment Act, art. 25).

29. As of 1 January 1997, the number of persons officially registered as unemployed was 77,200; by the end of the year it had fallen by 30 per cent, to 54,600. On the other hand, between 1992 and 1997 the official rate of unemployment increased from 0.1 per cent to 3.1 per cent (in relation to the working population). Allowing for persons not fully engaged in production (those on various kinds of administrative leave) and persons not in employment but actively seeking work, the underlying unemployment figure is over 200,000, or 11 per cent of the economically active population; that is almost two and a half times the official rate of unemployment.

30. In 1997 the proportion of rural dwellers in the total number of officially registered unemployed fell from 53.4 per cent to 49 per cent (41,200 in 1996 and 26,800 in 1997).

31. The problem of youth unemployment is equally acute. In 1992 young people accounted for 13 per cent of the total number of job-seekers; in 1996 the proportion had risen to 33 per cent. Although the number of unemployed young people under the age of 29 fell by 8,900 in 1997, they still account for 40 per cent of the total number of unemployed (20,300). Owing to their lack of working skills and experience, young people cannot compete on equal terms with experienced workers in the labour market. Many enterprises hire inexperienced young people last. By age, unemployed young people accounted at the end of 1997 for the following proportions of the total unemployed (figures for the corresponding period of 1996 in parentheses):

From 16 to 18 years of age: 5.7 per cent (6.6 per cent);

From 18 to 22 years of age: 15.2 per cent (11.5 per cent);

From 22 to 29 years of age: 16.5 per cent (19.7 per cent);

School leavers (general education schools): 5 per cent (7 per cent);

Graduates of specialized secondary-education and higher educational institutes: 3.7 per cent (3.6 per cent);

Graduates of vocational-technical educational institutes: 5.5 per cent (4.7 per cent).

32. In 1997, the proportion of long-term unemployed (i.e. unemployed for more than a year) rose sharply from 17 per cent (1996) to 24 per cent. The national average duration of unemployment rose accordingly, from 7.1 to 8.2 months.

33. Again in 1997, the distribution of the unemployed by level of education was as follows (figures for 1996 in parentheses):

Higher education: 11 per cent (10.2 per cent);

Specialized secondary education: 21.6 per cent (27 per cent);

General secondary education: 54.4 per cent (51.4 per cent);

Incomplete secondary education: 12.8 per cent (11.4 per cent).

An analysis of this data shows that the proportions of unemployed people with higher education, general secondary education or incomplete secondary education increased slightly in 1997.

34. As of the end of 1997, the age distribution of the unemployed was as follows (figures as of the end of 1996 in parentheses):

29 to 40 years: 33 per cent (33.7 per cent);

40 to 50 years: 21.8 per cent (20.8 per cent);

50 to 55 years: 5.5 per cent (5.5 per cent);

55 to 60 years: 2.4 per cent (2.3 per cent).

An analysis of these indicators yields the conclusion that, in terms of age structure, there has been an increase (of 3.7 per cent) in the proportion of unemployed people aged between 18 and 22.

35. Unemployment benefit should in theory ensure adequate income support to provide a proper social safety net for the unemployed. At present, the unemployment benefit effectively fails to fulfil this function. Towards the end of 1997, the unemployment benefit averaged 109 som, which is six times lower than the minimum consumer budget of 690.6 som. The number of unemployed people in receipt of a benefit at the end of 1997 was 20,300, or 37.2 per cent of the total number of unemployed.

36. There are a number of reasons for the gradual fall in unemployment. The main one is that the low level of the unemployment benefit, which is six times lower than the minimum consumer budget, provides no incentive for unemployed people to register with the Employment Service. Other important reasons are the revival of production in certain enterprises, the reorientation of the workforce towards entrepreneurship and the pursuit of a proactive policy on the labour market. There has been significant development of self-employment with the financial support of the Employment Service. In addition, the computerization of the Employment Service over the past year has made it possible to remove from the unemployment roll people who have not visited the Service for a long time. The decline in the number of registered unemployed people has also been facilitated by the tightening of the criteria in the Employment Act for the assignment of unemployed status to owners of plots of land. The decline in unemployment does not mean that the situation in the labour market is favourable.

State policy and programmes

37. The proactive employment policy being pursued under Programme No. 571, "The labour market and the promotion of employment in Kyrgyzstan in the period 1996-1997 and up to the year 2005", which was approved by the Kyrgyz Government on 2 December 1996, is of great importance for regulating labour and reducing unemployment. For the period ahead, the principal objectives of this programme are to create conditions conducive to employment and to satisfy enterprises' demand for labour through economic stabilization, enhancement of the quality and competitiveness of the workforce, development of a personnel training system and improvement of the State Employment Service. The main lines of the employment policy are being implemented throughout Kyrgyzstan in accordance with regional employment programmes. The execution of the Programme has been delayed, mainly for want of money. The funding crisis is itself a consequence of a number of external factors such as the dire financial situation of many enterprises and organizations.

38. The State Employment Service, which reports to the Ministry of Labour and Social Welfare, is using systematic and proactive methods to regulate the labour market, for example job placement, organization of paid community work, the establishment of employment-promotion associations and vocational training and retraining for citizens who have lost their full-time jobs. This approach has forestalled an increase in the number of people applying to the Ministry's Employment Services in connection with job-placement matters. Whereas there were 28,000 such inquiries in 1992 and 100,000 in 1996, there were something over 65,000 in the first nine months of 1997. The total number of people to have availed themselves of the services offered by the Ministry's Employment Service during the period in question exceeded 640,000.

39. In order to ease the situation on the labour market, it was planned to create 23,800 jobs for unemployed people in 1997, using the resources of the Fund for the Promotion of Employment. In the first nine months of 1997 a total of 16,100 jobs, 6,100 of them full-time, were created, through the promotion of self-employment by the unemployed and the establishment in the country of a network of business nurseries. In addition, 10,000 temporary jobs were created through community work and employment-promotion associations. In addition to the proactive policy initiatives already under way, there are plans to implement a number of business schemes, for example Zhumush and Kol-Kabysh.

40. Since its foundation, the State Employment Service has placed 95,000 people in employment, mainly in existing vacancies. However, in recent years such opportunities have dwindled significantly because the gap between the labour supply and available vacancies in enterprises and organizations has widened both quantitatively and qualitatively. Whereas enterprises required 15,000 new workers in 1991, by the end of 1996 that figure had shrunk to just 1,500 or one tenth of the former requirement. Today 42 people are competing for every job.

Community work

41. There has been an increase in the number of people assigned to do paid community work. In 1992, 2,200 unemployed people were given this type of

temporary employment; in 1996 the number was 6,500 and in 1997, 11,800. Of the 1997 total, 35 per cent were engaged in agricultural work, 40 per cent in the housing and utilities sector, 10 per cent in the services sector and 15 per cent in other areas of the economy. Women accounted for almost half (49.8 per cent) of the total number of people engaged in community work. The number of people assigned to community work has varied according to circumstances. In the first quarter of 1997 an average of 500 people a month were assigned to do community work; in the second quarter the figure had risen to 1,400 and in the third and fourth quarters to 3,000 people a month. Most of these people were assigned to community work projects in Chu oblast (22.9 per cent) and Jabal-Abad oblast (18.6 per cent). The involvement of unemployed people in public repair and reconstruction projects in 1997 has been very helpful in the aftermath of natural calamities in certain regions of Kyrgyzstan. Unemployed people have also been called upon to perform community work in the form of cattle-minding, destruction of hemp and counting poultry, under the auspices of municipal service enterprises (clearing and developing land, repairing roads, etc.), in commerce and in the social sphere (care of the sick and elderly).

Employment-promotion associations

42. Regarding temporary work schemes, employment-promotion associations are another successful element of the proactive labour market policy.

43. Under the Kyrgyz-German "Labour market policy and employment" project, and with the assistance of the European Union's Partnership Fund and the Employment Promotion Fund, nine employment-promotion associations have been established in Kyrgyzstan in the cities of Mailuu-Suu, Bishkek, Osh, Talas, Sulyukta and the incorporated localities of Min-Kush, Kadzhi-Sai and Khaidarkan. Some 11,000 people have found work through these associations.

44. Two such associations are currently in operation. As a result of their efforts, over 1,000 unemployed people have found permanent jobs. The associations aim to ease the process of laying off workers from enterprises by hiring unemployed people to take part in paid community work. The associations have worked on 63 approved projects. Successful large-scale projects accomplished in 1997 include the erection of 19 panel-type blocks of flats in new housing developments in Bishkek, cleaning the bed of the Ala-Archa river, cleaning water supply lines in Sulyukta, demolition of old buildings in the incorporated locality of Min-Kush and rehabilitation of historical sites in the cities of Uzgen and Osh. The Employment Service has sent 300 citizens on vocational training courses.

Vocational training

45. Economic reforms are bringing about changes in the sectoral structure of the economy, thereby resulting in a new relationship between supply and demand in the labour market, the emergence of new professions, and changes in the nature and content of a number of older professions. These developments entail the expansion of vocational training and guidance for people who have

lost their jobs and for young people entering the labour market. In 1997 a total of 5,400 unemployed people, of whom 51.8 per cent were women and over 75 per cent young people under 29, were sent on vocational training or retraining courses.

46. Owing to irregular funding, the number of people sent on vocational training courses is down by 23 per cent compared with 1996 when these courses were attended by 7,000 people, 52.9 per cent of them women. An average of 500 people were sent on these courses every month throughout the year. The Employment Service of the Ministry of Labour and Social Welfare is actively working to extend the range of vocational training available to the unemployed with a view to enabling them to compete better on the labour market. Between 1991 and 1996 the number of citizens receiving such training increased from 50 to 7,000.

47. A number of vocational and technical schools offer not only vocational training but also a special course in entrepreneurship which teaches students skills for organizing their own business and taking on the ownership of small businesses, repair shops, workshops, cafés, bakeries, hairdressing salons, hotels or photographers' studios. The personnel training component of the World Bank social safety net project has been implemented in Kyrgyzstan since September 1995. One of its principal areas of focus is to train or retrain unemployed adults using a modular system which equips them to pursue a profession of their choosing which is commensurate with their knowledge and skills. To this end, nine modular teaching centres have been established to train or retrain personnel for work in priority areas of the Kyrgyz economy.

Persons with officially authorized early pension entitlement

48. Under the terms of the Employment Act, approximately 1,700 people are officially authorized to receive a pension before reaching pensionable age. This figure is 37.3 per cent lower than it was in 1996. Of the people in this category, 700 live in Bishkek and another 500 in Chu oblast. As article 29 of the Employment Act, concerning early retirement for the unemployed, has been repealed by the new Pensions Act, the unemployment rate will rise slightly.

"Job-seekers' clubs"

49. As part of the Kyrgyz-German project, "job-seekers' clubs" have started to operate for the first time. They provide psychological support and promote the job placement of the long-term unemployed. Clubs have been set up on an experimental basis in Chui-Tokmok and Kara-Balta. As a result, 438 people, including 347 women (79 per cent of the total), received training in 1997 and 176 of them (40 per cent) were placed in employment. Of this latter group, 143 (81.2 per cent) were women. In the light of this success rate, it is planned to open "job-seekers' clubs" in other regions of the country where the Employment Service has large numbers of long-term unemployed on its books.

50. New approaches to the regulation of the labour market are being pioneered in Bishkek and Jalal-Abad, where temporary work bureaux have been

established. Since opening their doors to the public, these bureaux have been visited by 2,400 people, of whom 1,500 or 62.5 per cent have been found full-time or temporary jobs. The German Technical Centre's "Youth Labour Exchange", which operates under the auspices of the City of Bishkek's Labour and Employment Department, has proved a worthwhile venture. Of the 3,100 people who have applied to the exchange, over 1,100 young people (36.5 per cent of the total) have been placed in employment. The applicants have included 400 teenagers, 60 per cent of whom have been placed in employment. Job fairs are held every month and have attracted over 1,200 young unemployed visitors. In addition, another 500 young people have been assigned to training courses, thereby easing the pressure on the labour market in the capital. The experiment is now being extended to other regions: similar exchanges have opened in Osh, Karakol and Balykchi.

51. A mobile employment service designed to offer services to the public in neighbourhoods comprising one-household homes has been established under the auspices of Bishkek's Employment Department. This service was used by 1,100 people in the last quarter of 1997 alone.

52. The first quarter of 1997 witnessed the inauguration of the "Cheque for a job" pilot scheme initiated by the German Technical Centre. This scheme makes provision for active job-seeking by young unemployed people and incentives to employers in the form of a two-year reduction in contributions to the Social Fund for each unemployed person hired. The "Cheque for a job" scheme is the first opportunity to provide an incentive to employers who create new jobs for young unemployed people. Over the past year, it has resulted in jobs being found for 100 people (including 69 females) in Bishkek, 76 people (53 females) in Jalal-Abad oblast, 50 people (36 females) in Talas oblast and 50 people (28 females) in Issyk-Kul oblast.

53. With a view to providing financial support to employers who create jobs for the unemployed, a group of experts at the City Employment Administration has taken up and examined 196 business schemes, 86 of which have been referred for discussion by a working party of the Ministry of Labour and Social welfare. In 1996, 28 business schemes received funding in the amount of 325,354,000 som for the creation of 628 new jobs.

Programmes and policies to assist disadvantaged groups

54. To prevent the growth of female unemployment, priority has been given to reassigning able-bodied women in the sphere of material production to the non-productive sphere. Steps have been taken to develop female entrepreneurship and increase the number of female home workers. An analysis of the status of women in the labour market indicates that the current female employment situation is socially undesirable. The policy for promoting female employment includes training and retraining to prepare women for future-oriented professions which are in high demand on the labour market, encouragement of female home workers to work on their own account and encouragement of participation in paid community work. Four female employment projects are under way in the cities of Bishkek, Karakol, Talas and in Osh oblast within the framework of the Kyrgyz-German "Labour market policy and employment" project.

55. Schemes designed to boost female employment are in progress under the auspices of the Kyrgyz Ministry of Labour and Social Welfare. They cover reskilling, training in various professions, encouragement of independent work, participation in community projects and job creation:

A scheme involving vacuum packing of food products in Bishkek, with plans to employ 14 women;

A skills enhancement project in Karakol, with plans to train 60 women; A project involving the establishment of a self-help group in the women's hostel at the "Naker" joint-stock company in Talas, where several action teams of 20 women each had been formed as of 1 September 1997;

The "Cheque for a job" scheme, which is intended to help young people up to the age of 25, half of whom must be female. As of 1 September 1997, 286 cheques had been issued under this scheme and as a result 225 people (including 148 women) have been placed in employment; the "job-seekers' clubs" in Chi-Tokmok and Kara-Balta, the main objective of which is to counteract the effects of long-term job-seeking and offer assistance in job placement. As of 1 September 1997, 278 people (including 218 women or 78 per cent of the total) had been trained in these clubs. Of the total number of unemployed people to have completed the training course, 110 have been placed in employment. This figure includes 86 women, or 31 per cent of the total.

56. Furthermore, in the first eight months of 1997, 1,400 women concluded contracts for the organization of their own businesses. The Ministry has sponsored and funded the "Altynbyu" scheme, a sewing project run by women in the village of Myrza-Aka in the Uzgen district of Osh oblast. This project has already created 22 jobs for unemployed women.

57. Since 1995 the Ministry of Labour and Social Welfare has taken special steps to coordinate the activity of organs directly concerned with the problems of disabled people and facilitate cooperation with local administrations and organizations that employ disabled people.

58. The employment of disabled people is a very acute problem. It requires a specific approach since it is a matter of enabling people with restricted capacity for work to be sufficiently competitive on the labour market. For the past five years, the number of people officially registered as disabled has grown by some 3,000 a year. The vocational rehabilitation of disabled people and the promotion of employment for them constitute a major social problem given current economic instability. In 1997 alone, 403 disabled people, including 120 women, applied to the Ministry's Employment Service. In the first nine months of 1997, jobs were found for 21 disabled persons, including seven women.

Number of persons newly registered as disabled

	1994	1995	1996
Total, thousands	3.2	3.0	2.9
Per 10 000 workers	24	23	22

59. The republic-wide national programme for the labour market and the promotion of public employment in the period 1996-1997 and up to the year 2005 has outlined specific measures to promote the employment of disabled people, and regional public employment schemes including measures for the benefit of disabled persons have been devised and approved on the basis of it. For example, in 1997 the "Iigilik" and "Dyuishen" limited liability companies issued credits to the Pervomaisk job centre, where visually-impaired persons will make lids for tinned and bottled food products. The job centre in the town of Balykchi in Issyk-Kul oblast has submitted for consideration an employment-promotion scheme for disabled persons which provides for the creation of additional jobs in areas such as the manufacture of knitted articles, book-repairing and the making of notebooks and notepads.

60. In order to create additional opportunities for job placement and the vocational training and retraining of people in this social category, the draft employment act provides for the registration of category 1 and category 2 disabled persons with the Ministry's Employment Service.

61. The Ministry of Labour and Social Welfare is addressing the issue of job placement in this social category. The following are considered priority areas:

Coordination of the activities of the State and social structures in the sphere of employment for the disabled;

Study of the employment needs of disabled people;

Establishment of a database on disabled people and a database of jobs for the disabled based on information from district and city employment services;

Vocational rehabilitation of disabled people, testing of their working ability and assistance for them in adapting to new work;

Promotion of temporary independent work for the disabled, support for their entrepreneurial activity and home-based work and provision of flexible working hours (with special emphasis on disabled mothers caring for minors);

Organization of a special labour exchange for disabled people;

Organization of a jobs quota system;

Elaboration of experimental schemes to provide care for housebound invalids requiring outside help;

Establishment of vocational rehabilitation centres and reservation of certain types of work or jobs for disabled people.

62. The Government is also considering the issue of the employment of senior citizens. According to data supplied by the National Statistics Committee, on 1 January 1997 the Kyrgyz population numbered 4,606,800 people, 9.7 per cent (445,100) of whom were above working age. The decline in the

standard of living has been particularly marked among the elderly population. According to data from the National Statistics Committee, while average monthly pensions nominally increased by a factor of 3.5 over the period 1994-1996, a pensioner's average income in real terms almost halved. What is especially alarming is that the subsistence requirement for a pensioner is currently 1.7 times the average monthly pension: as of 1 January 1997, the latter was 246.9 som, whereas the requisite minimum income for a pensioner was estimated to be 446.72 som.

63. Various ways and means are being explored to enhance the effectiveness of the social safety net for the most vulnerable sections of the public. A national programme entitled "Ardager" provides for a number of administrative and regulatory changes in the social security system and social assistance for senior citizens. The programme highlights priority areas, such as improving the statutory framework for the social welfare of senior citizens, improving the pensions and social assistance systems, raising the quality and effectiveness of medical care and expanding the role of senior citizens in public life.

64. Under the provisions of the former Labour Legislation Code and the present Labour Code, there are no restrictions on workers' freedom to move from one job to another or from place to place. Citizens have the right to free choice of a profession and the choice of whether to work as an employee or opt for self-employment. No one's occupational rights may be violated, nor may anyone be in any way privileged regarding the exercise of those rights on the grounds of sex, age, race, nationality, language, property or official status, place of residence, attitude to religion, convictions, membership of public associations or any other factors unconnected with his/her competence as a worker or the results of his/her work.

Article 7

65. Article 29 of the Constitution stipulates that all Kyrgyz citizens whose employment is subject to a labour contract are entitled to a level of remuneration not lower than the statutory minimum wage.

66. Article 215 of the new Kyrgyz Labour Code stipulates that the minimum wage is the minimum mandatory remuneration payable by an employer to a worker for a month's unskilled work under normal conditions within legal working hours that will enable the worker to procure the minimum range of various goods and services which are essential for the reproduction of his labour-power. The minimum wage is set by the Government once every six months for all areas of the Kyrgyz Republic and is used as a safety net with reference to the minimum permissible levels of remuneration for work performed.

67. Wages continue to be the public's principal source of income (over 40 per cent). Average wages in 1997 were 952 som in industry; 1,152 som in construction; and 523.5 som in education, science, health care and culture. Low pay is fuelling an exodus of skilled specialists from these sectors.

68. Article 28 of the Constitution stipulates that every Kyrgyz citizen has the right to occupational safety in all its forms and manifestations, working conditions which meet safety and hygiene requirements, and social protection from unemployment.

69. Under article 281 of the new Labour Code, which came into force on 1 January 1998, employers have a duty to ensure health and safety in the workplace and to introduce devices and technologies that will ensure compliance with health and hygiene standards and the requirements of occupational safety standards.

70. The Health and Safety at Work Act, which aims to ensure occupational safety, has been law in the Kyrgyz Republic since February 1992. This Act grants wide powers to trade unions: they have the right to supervise and monitor health and safety in the workplace, maintain technical inspectorates for that purpose, hear reports from managers of businesses, and require State bodies and businesses to dismiss managers who violate occupational safety requirements. The 32 official occupational safety inspectors are assisted by over 250 voluntary health and safety inspectors. In 1996 alone, the full-time and voluntary inspectors inspected some 900 enterprises and directed them to remedy various occupational safety violations; in addition, more than 200 managers were called to account.

71. The Ministry of Labour and Social Welfare has had since 1996 a department of health and safety and inspection of working conditions, accident prevention and industrial hygiene in enterprises and organizations. In 1997, together with the Federation of Trade Unions of Kyrgyzstan and the Social Fund, this department drafted a bill on compulsory social insurance against industrial accidents and workplace injuries. An order on the economic interest of employers in the creation of healthy and safe working conditions for their employees has also been elaborated.

Industrial injuries in Kyrgyzstan in the period 1992-1997

	1992	1993	1994	1995	1996
Total number of injured persons incapacitated for one or more days (including fatalities)	2 465	1 962	982	780	511
Per thousand	2.0	1.9	1.1	1.1	0.8
Fatalities	119	94	62	55	61
Per thousand workers	0.09	0.09	0.07	0.08	0.09

72. According to article 31 of the Constitution, Kyrgyz citizens are entitled to rest. Labour law provides that manual and non-manual workers alike shall have during the working day a break of between 20 minutes and two hours for rest and a meal. This break period should normally come no later than four hours after the start of the working day. In cases where the working day is longer than eight hours but working time is not continuous, the break period may come more than four hours after the start of the day.

73. In the case of occupations whose requirements make fixing the break period impracticable, workers must be given the opportunity to eat during

working time. The list of types of work which fall under this category, and the arrangements and location for the taking of meal breaks, must appear in the rules and regulations of the workplace.

74. Workers must have a daily rest period of at least 16 hours' duration between the end of work and the start of work the following day (or shift).

75. According to article 144 of the Labour Code, the duration of the normal working week for manual and non-manual occupations at enterprises, institutions and organizations must not exceed 40 hours. The work week will be shortened as economic and other necessary conditions permit. In the case of persons working a six-day week, the length of the working day must not exceed seven hours in a 41-hour week, six hours in a 36-hour working week, and four hours in a 24-hour working week.

76. For young people under the age of 18, working hours are restricted to a maximum of 24 hours a week for workers aged between 14 and 16 years, and 36 hours a week for workers aged between 16 and 18 years.

77. Working time is also limited to no more than 36 hours a week for category 1 and category 2 disabled people.

78. The working hours of persons involved in the evacuation (resettlement) of people in connection with increased levels of radiation or pollution in a particular area, including individuals who have been sent or assigned to such operations, must not exceed 36 hours a week or six hours a day.

79. A shortened working week of no more than 36 hours is prescribed for people who work in hazardous or dangerous conditions and those engaged in heavy physical work. A list of production facilities, plants, professions and jobs where hazardous, dangerous or heavy physical work entitle the worker to reduced working hours has been approved in accordance with a procedure laid down by the Government.

80. Weekly rest days are legally recognized as holidays. Under article 144 of the Kyrgyz Labour Code, five- and six-day working weeks with one day off may be instituted by the employer following consultations with a trade union or other representative body of workers. In the case of a five-day week, manual and non-manual workers are entitled to two days off every week. One day off is granted in the case of a six-day week. In the case of a five-day week, two days off are allowed every calendar week, except in weeks when the work schedule provides for one of the Saturdays to be used to bring the total number of hours worked up to the specified weekly level. In such a week, one day off is allowed. The weekly rest period must be uninterrupted and of at least 42 hours' duration.

81. Anyone who works on his/her day off shall be compensated by either the granting of another rest day or the payment of double time, as the parties may agree. Subject to agreement between the parties, work performed on a day off may be compensated by the addition of a day to the worker's annual leave entitlement.

82. An employer may lawfully require workers to work on their day off without their consent in the following exceptional circumstances:

To perform work essential to deal immediately with the consequences of public emergencies or natural calamities or to prevent or remedy the consequences of malfunctions;

To prevent accidents;

To deal with chance or unexpected factors that threaten or have disrupted normal water or gas supply, heating, lighting, sewerage, transport or communications;

In the case of medical personnel, to render emergency medical assistance.

Workers may not be required to work on more than 12 rest days a year. If, when a worker is requisitioned on a rest day, the parties cannot agree on the form of compensation, the compensation shall be in the form of a day off, unless stipulated otherwise by collective agreement.

83. Only the Government may declare Saturday to be a working day for all workers.

84. On the day before a public holiday, the working day is shortened by one hour. If production requirements make it impracticable to reduce the length of the work shift on the eve of a public holiday, workers may either take an extra day's holiday when they have accumulated enough hours of additional time worked or, subject to their consent, be remunerated for those hours at the overtime rate.

85. Workers have the right to annual and special leave. Pursuant to labour law (Labour Code, art. 158), "leave" means release from work under the terms of a labour contract for a specified period and for the purpose of rest or other social ends without loss of post or pay. All manual and non-manual workers are granted annual leave with retention of their job (post) and average earnings. The minimum annual leave entitlement is four working weeks. It applies to all workers.

Article 8

86. Under article 30 of the Kyrgyz Constitution, citizens have the right to strike. Strike procedure is governed by the new Kyrgyz Labour Code, which came into force on 1 January 1998. The Code defines a strike as a total or partial voluntary cessation of work (non-attendance, non-performance of duties) by a group of workers for the purpose of protecting their economic or social interests. A strike may be held following the rejection of the proposals of a conciliation board or, if the parties have referred the matter to a mediator or arbitration, following the rejection of the mediator's proposals or, unless the arbitrator's decision is binding on the parties, in the event of disagreement with that decision.

87. The law also provides for certain restrictions. Article 78 of the Labour Code prohibits strikes that would endanger human lives or health and strikes at: public rail- or urban transport, civil-aviation, telecommunications or power-industry enterprises or organizations; State organs, enterprises or organizations entrusted with maintaining defence capability, public order or State security (the armed forces and security and internal affairs organs); and continuous-process industries where work stoppages would have grave and dangerous consequences. Thus, under article 7 of the Internal Affairs Organs of the Kyrgyz Republic Act (11 January 1994), internal affairs personnel are prohibited from organizing strikes and participating in industrial action. Civil servants are also prohibited under the provisional Civil Service Statute from organizing and taking part in strikes.

88. Strikes designed to overthrow or change the constitutional system are also unlawful. These limitations are entirely justified, since in such cases strikes endanger national security and public order.

89. In the period covered by the report (1994-1997) no strikes were recorded in the Kyrgyz Republic.

90. Under article 8 of the Constitution, political parties, trade unions and other public associations may be established in the Kyrgyz Republic on the basis of a free expression of will and community of interests. It is incumbent on the State to ensure observance of the rights and legitimate interests of public associations.

91. Under article 238 of the present Labour Code of the Kyrgyz Republic, both manual and non-manual workers have the right to form trade unions. Trade unions now operate in accordance with the rules they themselves adopt and are not subject to registration with State organs. It is incumbent upon State organs, enterprises and institutions to render trade unions every assistance in the course of their work.

92. Trade union activity is currently regulated by the new Kyrgyz Labour Code. According to articles 18 and 19 thereof, trade unions are voluntary public organizations uniting workers on the basis of common occupational interests, whether in the productive or the non-productive sphere of the economy, and having as their purpose the protection of their members' occupational, social and economic rights and interests. All workers without exception have the right to form trade unions voluntarily, according to their choice and without prior permission. They also have the right to join a trade union on condition that they abide by its rules. Workers are entitled to form trade unions at enterprises, institutions, organizations and other places of work, howsoever those entities may be owned.

93. Trade unions are independent in their activity and are subject solely to Kyrgyz law. They are neither accountable to, nor controlled by State authorities, employers, political parties or other public organizations. Unless otherwise provided by law, all interference which may restrict trade union rights or prevent their exercise is prohibited.

94. Neither membership nor non-membership of a trade union entails any limitation of citizens' constitutionally guaranteed occupational, social, economic, political, individual or civil rights. It is prohibited to make the employment, promotion or dismissal of a worker conditional on membership in, or the joining or leaving of a trade union.

95. The establishment of a trade union entails the completion of a number of minor formalities: a workers' meeting must be held; a decision to form a trade union must be adopted; a trade union committee must be elected; and each person wishing to join the union must fill out an application form mentioning the obligations to abide by the union's rules and to pay membership dues.

96. Trade unions may unite in federations, which in turn may unite in parent organizations (Unions) enjoying the same rights as trade unions. Trade unions may also join international trade union organizations.

97. Trade union membership in the Kyrgyz Republic stood at 100,140 on 1 January 1997. Compared with 1994, trade union membership has fallen by 395,667, owing to the closure of a number of industrial enterprises, the shrinking of the workforce in the non-productive sphere and heavy job cuts. There are currently 20 republic-wide sectoral trade unions (in agriculture, education, culture, the health service, industry, construction, etc.), five oblast-based trade unions, and 59 city and district trade-union committees. All these structures belong to the Federation of Trade Unions of Kyrgyzstan. In addition, there is an entrepreneurs' trade union and a railway workers' trade union, neither of which is a member of the republic-wide Federation of Trade Unions.

98. Members of trade unions and workers who are not members of trade unions have equal rights in industrial relations.

99. Students at educational institutions and pensioners also have the right to form trade unions. Student unions have been formed and are active in Kyrgyzstan. Their total membership is 37,000. There are no independent pensioners' unions. However, some pensioners are members of trade unions in the enterprises and organizations where they used to work before they retired. Trade unions have been formed for civilian personnel working in military institutions and national security and internal affairs organs.

100. Trade unions not only play a role in establishing a regulatory and statutory framework for the protection of working people, they also influence the social and economic policy pursued by State organs.

101. Relations between the trade unions and the Government are based on the principle of equal social partnership. Every year the Federation of Trade Unions and the Government conclude General Agreements, and the sectoral trade unions and the ministries and administrative departments adopt wage-scale agreements and agreements on normalizing the economy, preventing slumps in production, reducing unemployment, increasing earnings, tackling poverty and providing social assistance to disadvantaged sections of the population.

102. In 1996 and 1997 the Federation of Trade Unions of Kyrgyzstan drew up and submitted to the Government recommendations on tackling poverty, a

blueprint for wage reform and the timely payment of wages, and proposals to conclude a tripartite agreement between trade unions, the State and employers. At the insistence of the trade unions, a number of issues have been resolved satisfactorily by the Government.

103. In order to safeguard social assistance and protection for the disabled and the elderly, the "Ardager" national programme was adopted in 1997. In support of this programme, Kyrgyzstan's trade unions are helping to establish and develop new kinds of social services institutions, namely social welfare centres and social shelters. In 1998 the Federation of Trade Unions of Kyrgyzstan will allocate at least 200 permits for courses of treatment at sanatoriums and spas to working vets. In addition, trade unions will provide free legal advice and assistance on social and occupational questions.

104. At the same time some employers are hampering the activity of trade unions, banning their formation, instructing payroll offices not to deduct membership dues, and so on. No administrative or criminal proceedings have been initiated against managers for violating the law with respect to trade union rights.

Article 9

105. Article 27 of the Kyrgyz Constitution guarantees State-funded social security in the event of old age, sickness, disability or the loss of a breadwinner. Pensions and social assistance are provided in accordance with the economic possibilities of society and must ensure a standard of living corresponding at least to the legally-established subsistence income. Voluntary social insurance, the establishment of supplementary means of maintenance and charity are all encouraged.

Medical insurance

106. Under the Medical Insurance (Citizens of Kyrgyzstan) Act, the State covers expenditures for medical treatment and temporary disability and pays pregnancy and maternity benefits. There is voluntary and mandatory medical insurance.

107. At the end of 1997, in-patient care for employees, pensioners and the registered unemployed began to be funded through insurance contributions. For 1997, the contribution rate was set at 2 per cent of the payroll for the employer's contribution and at 108 som per year from the pension fund and the employment fund.

108. In 1997 the non-working population, students and school pupils were not covered by insurance.

Monetary sickness benefits

109. Under the Regulations on the Procedures for the Granting of Social Insurance Benefits adopted by government Decision No. 34 of 8 February 1995, temporary disability benefits are awarded as follows:

(a) In the event of an employee's illness, depending on the type of treatment, at the rate of:

90 per cent of the employee's wage for in-patient treatment;

75 per cent of the employee's wage for out-patient treatment.

The benefit is provided until the employee is cured or it is established that he is permanently disabled. (For the first three days the benefits are payable, at the above rates, by the employer.)

(b) To an employee caring for an ill family member, at the same rates (75 per cent and 90 per cent), but for a maximum of 14 days in the event of out-patient treatment. In the event of in-patient care for an ill child, the entire period of care is covered.

(c) In the event of treatment at health resorts, if the employee does not have a sufficient basic and additional leave entitlement to cover travel and treatment, a disability certificate is issued for the required extra days and a benefit of 90 per cent of the employee's wage is paid.

110. In all cases of temporary disability, an employee having three or more children who suffers from a serious chronic disorder such as diabetes mellitus, tuberculosis or an oncological or blood disorder or who took part in the clean-up of the Chernobyl accident will be paid a benefit equal to his/her wage.

Maternity benefits

111. Under the State Benefits (Families with Children) Act (art. 1), citizens raising children are entitled to:

A pregnancy and maternity benefit;

A child allowance;

A benefit for the care of a sick child;

A single mother's benefit;

A benefit for children of members of the armed forces;

A benefit for a child in foster care or under guardianship;

A benefit for minors whose parents default on child support payments.

112. Under government Decision No. 34 of 8 February 1995, working women are entitled to the pregnancy and maternity benefit at the rate of 100 per cent of their wages. Most working women receive the benefit for 126 days. For multiple births, or when the birth involves disorders or complications, entitlement is increased by 14 days.

113. For people living and working in high mountain areas who are temporarily disabled owing to illness, benefits are paid at a rate of 100 per cent of wages irrespective of the type of treatment.

114. In the event of adoption of a child under one year of age, a working woman is also entitled to 70 days' leave on full pay.

Benefit for occupational injury or illness

115. As in the former Soviet Union, cases of occupational injury or illness are not currently covered by insurance in Kyrgyzstan. However, further to the above-mentioned government Decision, the employer pays a benefit equivalent to 100 per cent of the employee's wage until the employee recovers or the employee's disability group is determined. If a disability group is determined, the employer has to pay the employee a one-off benefit, at the following rates:

For disability Group 3, an amount equivalent to three times the yearly average wage;

For disability Group 2, five times the yearly average wage; and

For disability Group 1, 10 times the yearly average wage.

In the event of the employee's death, the benefit due from the employer is 20 times the yearly average wage. (The payment of one-off benefits is provided for in the Civil Code and in the Occupational Safety and Health Act.)

116. Adoption of the Mandatory Social Insurance (Occupational Accidents and Illnesses) Act is expected in 1998.

Old-age benefits

117. Under the State Social Insurance Pension Act, insured citizens of Kyrgyzstan and aliens and stateless persons living in the country and contributing to the State social insurance pension scheme are entitled to a State social insurance pension (hereafter referred to as a pension). They may be awarded the following types of pension:

Old-age pensions;

Disability pensions;

Survivors' pensions.

Old-age pensions

118. Entitlement to old-age pensions begins at 60 for men and 55 for women. From 1 January 1998 until 1 January 2003 the qualifying periods of insurance will be raised by one year annually, until they reach 30 years for men and 25 years for women.

Disability pensions

119. Disability pensions are awarded irrespective of the reason for disability, provided a specified qualifying period has been spent at work prior to the onset of the disability. They are paid either until the person regains the ability to work or for life. There are three disability groups. Disability pensions for Groups 1 and 2 are of the same size as old-age pensions. An additional care allowance of 50 per cent of the minimum wage is added to Group 1 disability pensions; in the case of Group 1 disability pensions involving visual impairment the care allowance is 100 per cent of the minimum wage. The amount of the Group 3 disability pension is 50 per cent of the old-age pension.

120. Additional allowances are added to old-age and disability pensions for invalids and veterans of the Great Patriotic War, victims of political repression in the period 1930-1950, participants in the clean-up of the accident at the Chernobyl nuclear power plant, "honoured donors", Group 1 disabled persons and Group 2 disabled persons living alone who require outside assistance.

121. There are over 92,000 disabled persons of various categories living in the country, including 46,000 who suffer from a general illness, 3,800 victims of an occupational accident or illness and 11,500 children under 16 years of age (including 1,500 who have cerebral palsy).

122. In order to ensure the best possible living conditions for disabled persons, the elderly and single pensioners requiring permanent care, the Ministry of Labour and Social Welfare maintains a system of 13 residential institutions which currently accommodate some 2,000 persons. Three institutions cater for the disabled and the elderly, seven are psychiatric institutions for adults and three are for mentally retarded children. By oblast, these establishments are located as follows: seven in Chu, two in Jalal-Abad, two in Talas, and one each in Issyk-Kul and Osh. The institutions for the disabled and the elderly provide State-funded care for citizens of pensionable age and for Group 1 and 2 disabled persons below pensionable age who, owing to their health status, require medical care and household or personal assistance, and who do not have children or parents who are legally obliged to provide for them.

123. Regarding assistance to the elderly, the "Miloserdiya" day centre was set up in Bishkek in 1997. It provides daily meals for 50 very needy citizens. A similar centre called "Ardager" operates in Karakol (Issyk-Kul oblast) and daily provides meals for 40 people and free bread for 50 elderly persons. With State assistance, the Boz Ui summer home has opened in Mada, a village in the Kara-Sui district of Osh oblast, and some 100 single elderly people have spent summer holidays there. A home for the elderly has opened in Sulyukta, at the "Kenchi" general health centre, and accommodates 15 elderly inhabitants of the town at a time for two-week stays. Another home for the

elderly has opened in the village of Kurban-Kara using charitable funding and sponsors' support provided in commemoration of the International Day of Older Persons.

124. At present, there are some 70,000 people in Kyrgyzstan who require orthopaedic appliances. This includes 10,067 invalids of the Great Patriotic War and 15,136 persons with congenital disabilities, including 6,122 under the age of 15. The remainder are victims of occupational accidents or illnesses or other illnesses. From 1992 to 1997 an experimental orthopaedic appliance renovation centre produced 14,706 appliances, 29,695 pairs of orthopaedic footwear and over 36,000 other medical appliances.

125. Assistance to the disabled is among the priority issues given daily attention by the social assistance services of the Ministry of Labour and Social Welfare. Disabled people receive wheelchairs and financial assistance funded by local budgets, sponsors and various foundations through these services.

126. Even in these difficult times of transition to a market economy, the State is doing everything in its power to provide the disabled with additional economic assistance. Under decisions adopted in recent years, the disabled enjoy the following benefits:

(a) Hearing aids and dental prostheses are provided free of charge to persons classed in disability Groups 1 or 2 as a result of occupational accidents or illnesses or other illnesses, and to persons with congenital disabilities. Such persons are also granted a 50 per cent discount on all medication (government Decision No. 560 of 26 September 1997).

(b) Every year, from 1 October to 15 May, non-working persons disabled as a result of occupational accidents or illnesses and persons with congenital disabilities enjoy a 50 per cent reduction on fares for suburban and interurban travel (government Decision No. 14 of 16 January 1992).

(c) All non-working disabled pensioners and families with disabled children up to the age of 16 enjoy a 40 per cent discount on the standard change for natural gas consumption (government Decision No. 263 of 2 May 1997, which raised the discount from 25 per cent to 40 per cent).

(d) All non-working disabled pensioners and families with disabled children up to the age of 16 enjoy a 25 per cent discount on the standard charges for electricity and heating (government Decision No. 150 of 8 April 1996).

(e) Under section 24 of the Tax Code of 26 June 1996, all people with congenital disabilities and Group 1 and 2 disabled persons are exempted from the payment of land taxes for the use of private plots and dacha garden plots, and from taxes on their pensions, benefits and grants and their income from the sale of honey, livestock, poultry and processed or unprocessed livestock and poultry products.

127. Under Decision No. 511 of 24 November 1995, visually- and hearing-impaired persons are entitled to the following privileges, which are funded through the local budgets:

Free use of all urban, suburban and intra-district public transport (apart from taxis); this benefit also covers one person accompanying a visually-impaired person classed in disability group 1;

A 50 per cent reduction on housing and utilities, including electricity, heating and gas;

A 50 per cent reduction on the current price of fuel, within established limits (once per year);

A 50 per cent reduction on two round-trip air, rail or coach journeys a year within the country, a reduction that also applies to one person accompanying a visually-impaired person classed in disability group 1;

Reductions on medical treatment and dental prostheses (except prostheses produced from precious metals).

Local heads of State bodies have the right to grant additional privileges.

128. The periodic humanitarian assistance in the form of food, clothing, footwear and medicines given by international and local charitable organizations, small enterprises and farms also plays an important role in aiding the needy, the elderly, the disabled, residential institutions and orphans. The scale of such informal assistance can be seen from the fact that in 1997, designated the Year of Older Persons, assistance for needy elderly and disabled persons came in the amounts of 8.3 million som from local budgets, 12.2 million som from sponsors and 2.8 million som from various funds.

Number of disabled children under 16 years of age receiving social assistance pensions

	1994	1995	1996
Total	7 000	7 700	10 000
Per 10 000	39	43	56

Pensions for loss of breadwinner

129. These pensions are granted to members of the family of a deceased breadwinner who are not fit for employment. The following are considered family members unfit for employment: children under 16 years of age; siblings

and grandchildren under 16 years of age (provided they do not have parents fit for employment); and parents and spouses if, at the time of the breadwinner's death, they are pensioners or disabled.

130. Payment of the pensions is, in general, covered from insurance premiums paid into the Social Fund, but pensions under list No. 2 are paid by the employer and pensions for people in high mountain regions are paid out of the State budget. Allowances additional to the pensions are also paid out of the State budget.

131. Social pensions funded from the State budget are awarded to people who are not entitled to work-related pensions. The State budget also funds pensions for military servicemen.

132. The pension award consists of three parts. There is a base pension in a fixed amount set by the Zhogorku Kenesh at a set rate. For 1997, the base pension was fixed at 200 som. The base pension is price-indexed. In cases where the individual has not fulfilled the required period of service for an insurance pension award, a personalized account of accumulated insurance premiums is calculated.

133. Expressed as a percentage of gross domestic product, social insurance funding (insurance contributions) decreased from 12.4 per cent in 1991 to 7.8 per cent in 1997; it is planned to remain at that level until the year 2000. This reduction is related to the difficulties of transition to a market economy, the shrinking of the contribution base and a deficit in the budget of the Social Fund, which is partially subsidized from the State budget.

Number of pensioners registered with social protection bodies (as at 1 January 1998)

	1994	1995	1996	1997
Total, including pensioners receiving:	589 100	547 700	543 500	544 300
Old-age pensions	443 400	448 700	443 900	439 300
Disability pensions	53 400	48 400	47 600	51 200
Loss-of-breadwinner pensions (number of survivors unable to work)	86 100	80 400	87 600	91 200
Long service pensions	2 800	600	1 100	500

Social protection of the family

134. State social protection of the family is currently very closely targeted, and takes the form of payment of a monthly benefit to poor households that include children up to the age of 16, schoolchildren or students up to the age of 21, or unemployed persons or non-working members who have been recognized as unfit for employment.

135. In line with World Bank recommendations, the amount of the monthly benefit varies according to need: application of a sliding scale ensures that households in greater need than others receive a larger benefit.

136. As at 1 January 1998 monthly benefits were being paid to 237,100 households comprising some 745,100 persons, including 720,100 children up to the age of 16, 14,800 students, 6,700 unemployed persons, 2,100 persons unfit for employment and 1,400 non-working pensioners.

137. Over 32,000 people receive social pensions, including 142 mother-heroines, 24,500 persons with congenital disabilities, 1,000 persons disabled from general illness, 1,400 children receiving loss-of-breadwinner pensions and 5,700 elderly people (men over 65 years of age and women over 60 years of age).

138. In the country overall, 16.4 per cent of the population receive monthly benefits and 0.7 per cent receive social pensions. The corresponding figures for each region are as follows:

Osh: monthly benefits 22.6 per cent, social pensions 0.8 per cent;

Jalal-Abad: 25.9 per cent and 0.8 per cent;

Issyk-Kul: 11.6 per cent and 0.9 per cent;

Naryn: 27 per cent and 1.0 per cent;

Talas: 15.9 per cent and 0.7 per cent;

Chu: 5.0 per cent and 0.7 per cent;

Bishkek: 1.3 per cent and 0.4 per cent.

The size of the monthly benefit depends on overall household income and averages 37.0 som. The social pension, which is not dependent on household income, averages 86.51 som.

139. Abandoning the principle of universal welfare coverage will make it possible to provide State assistance to the population groups which most need

it. The financing of all benefits for needy households and citizens from the State budget as from 1 January 1995 represents a major contribution towards the effectiveness of targeted social protection.

140. Because living standards are falling, prices for food and medicines are rising and social pensions are inadequate for the needs of our times, the draft law on State benefits in Kyrgyzstan provides for social benefits for people with congenital disabilities to be raised from 50 to 200 per cent of the guaranteed minimum income, depending on the disability group and the cause of disability. The draft is currently being considered by the Zhogorku Kenesh.

141. Much has already been done. A certain statutory and regulatory base has been established, with the adoption of laws on pensions, employment and medical insurance, and of normative instruments for their implementation. Intensive work is being carried out on draft laws and preparations are under way for a national employment programme that will address problems both sectorally and geographically.

142. The practical implementation and improvement of social assistance is continuing in accordance with an agreement between the Government of Kyrgyzstan and the World Bank on a social safety net project.

143. The social assistance strategy consists in setting up and using a new mechanism to determine levels of need among the population, with a view to providing focused social assistance through State benefits for needy families.

Article 10

144. Article 26 of the Constitution of Kyrgyzstan states that the family is the primary unit of society, and that the family, fatherhood, motherhood and childhood are of concern to the entire society and are to be given priority of protection under the law. Parents have the right and obligation to care for their children and to ensure that they are raised properly. Children who are fit for work and have reached the age of majority are obliged to take care of their parents. Respect for the elderly and care for relations and kin are sacred traditions of the people of Kyrgyzstan.

145. The State aids families in numerous ways. It is setting up and developing an extensive network of maternity hospitals, day nurseries and kindergartens, boarding schools and other children's establishments and organizations, and improving public services and catering; it pays maternity benefits and provides benefits and privileges for single mothers and large families, as well as other types of family benefits and assistance.

146. The State provides for the maintenance, upbringing and education of orphans and children who have been deprived of parental care.

Placement of children and adolescents deprived of parental care

	1994	1995	1996
Total number of children and adolescents without parental care (new cases)	2 140	2 261	2 622
Number placed:			
In institutions for abandoned infants, children's homes and boarding schools for orphans and children without parental care, and in family-type children's homes	217	172	281
Under guardianship (curatorship), or adopted	1 579	1 760	1 934
In vocational training schools, specialized secondary and higher educational establishments, and other wholly State-financed educational establishments	239	14	23
Remaining on roll of orphans and other children without parental care	105	315	384
Number of children and minors being raised in families:			
Under guardianship (curatorship)	6 445	5 715	6 056
Adopted	10 375	8 772	9 431
Number of children being raised:			
In institutions for abandoned infants	84	85	191
In children's homes	413	403	528
In general boarding schools	697	442	1 112

Children's boarding establishments

	1994	1995	1996
Institutions for abandoned infants	3	4	4
Number of children in institutions for abandoned infants	238	223	226
Children's homes	4	4	5
Number of children in children's homes	413	403	528
General boarding schools	25	24	26
Number of children in general boarding schools	6 309	7 070	7 913
Of the general boarding schools, number for orphans and children without parental care	3	3	3
Number of children in boarding schools for orphans and children without parental care	2 181	2 057	2 215

147. The Government of Kyrgyzstan encourages and safeguards motherhood. Mother and child protection is ensured through special occupational safety and health measures for women, the creation of conditions enabling women to combine work with motherhood and the provision of legal protection and economic and moral support for mothers and children, including paid leave and other benefits for pregnant women and mothers.

148. Under government Decision No. 14 of 16 January 1992, mother-heroines are entitled to free urban and suburban public transport. In addition, the regulations for access to the urban and rural telephone network provide for telephone installation privileges for mother-heroines, large families and families with children having congenital disabilities or diabetic, epileptic or asthmatic children.

149. Under article 305 of the Labour Code, women receive 70 calendar days of leave during pregnancy and 56 calendar days after birth (or 70 in the event of complications or multiple births), with payment of State social insurance benefits during this period. Under article 306 of the Labour Code, women are entitled, upon request and irrespective of their length of service with their employer, to leave from work prior to or following maternity leave or following child-care leave. Regardless of their length of service, child-care leave is granted to women upon request until the child reaches the age of three. Such leave is granted upon written application by the child's mother and may be taken continuously or in sections of any desired duration. In the event that the mother dies, is deprived of parental rights or spends an extended period undergoing treatment, or in other situations where the child does not have maternal care, the child's family may decide to grant this leave to another relative or person who actually cares for the child in the mother's place. During the period of leave, such individuals are allowed to work

part-time (i.e., for no more than half the standard monthly number of hours) at their places of employment or at another job or may work at home, while receiving the monthly benefit. Time spent on child-care leave before the child is three counts towards the period in the given occupation and the overall period of employment, but is not considered as part of the work year for the purpose of annual vacation entitlements (Labour Code, art. 205).

150. Partially paid child-care leave may also be taken without a break or in sections by the child's father, grandmother or grandfather or by other relatives who actually look after the child.

151. Under Kyrgyz law (article 18 of the Marriage and Family Code), for the conclusion of a marriage both parties must give their consent and have attained marriageable age, i.e., 18 years. Forcing a woman to enter into a marriage is punishable under the Criminal Code. No complaints of such compulsion were registered in the period 1994-1997.

152. The age limits for the rights and accountability of children are set by law. For example, article 18 of the Criminal Code provides that persons aged at least 16 years when a crime is committed may be held criminally liable for it. For serious crimes such as murder, deliberate grievous bodily harm, deliberate bodily harm, kidnapping, rape, violent sexual acts, theft, robbery with violence, brigandry or extortion, the minimum age of criminal liability is 14.

153. Under civil law (Civil Code, art. 56), persons 18 years of age or older have full civil rights and obligations. Citizens entering into marriage before the age of 18 have full legal capacity from the moment of marriage. Such capacity is fully maintained even if the marriage is dissolved. If a marriage is recognized as invalid, a court may decide that an under-aged spouse will cease to be legally capable from such time as it determines.

154. Family law (Marriage and Family Code, art. 18) sets the legal age for marriage at 18 years. Executive committees of district, municipal and neighbourhood Councils of Peoples' Deputies may, in exceptional circumstances and upon the application of the parties to the marriage, reduce the legal age of marriage for the bride by up to one year.

155. Under administrative law (Code on Administrative Offences, art. 12), persons aged at least 16 years when an administrative offence is committed may be held administratively liable for it.

156. Under labour law (Labour Code, art. 87), children 16 years of age or older, and in exceptional cases children over 14 years of age who are genuinely capable of working, may enter into contracts of employment.

157. The legislation of Kyrgyzstan provides for the protection of children in situations of genuine risk. Supervision of the proper execution of laws in Kyrgyzstan is ensured by the Prosecutor General's Office and its local branches. To ensure children's effective protection from economic exploitation, laws and other normative instruments define appropriate types of disciplinary, administrative and criminal penalty.

158. Under article 317 of the Labour Code, employment contracts may not be concluded with persons under the age of 16. However, with the written consent of the parents (or guardians or curators), a contract of employment may be concluded with a person over 14 for light work which:

(i) Is not harmful to the person's health; and

(ii) Does not interfere with attendance at a general educational institution.

A list of light jobs which may be carried out by children from 14 to 16 years of age is maintained by the Government.

159. Persons under 18 years of age may not be employed in arduous work or in work which may be detrimental to their moral development (in gambling, night clubs, or in the production, transport or trade of alcoholic beverages, tobacco products, narcotics or toxic substances). Should persons under 18 years of age be employed in work involving the lifting and moving of heavy objects, the employer must provide machinery and automated and other devices for carrying the loads. Persons under 18 may not be employed in work with machinery or equipment that have not been certified as safe (Labour Code, art. 319).

160. Article 320 of the Labour Code stipulates that persons under 18 may not be recruited for employment without a prior medical examination and that they are subject to mandatory medical check-ups thereafter until they reach the age of 18. Such examinations are conducted at the employer's expense. Mandatory annual medical examinations of employees aged under 18 take place during working time, with continued payment of the average wage.

161. Employees aged under 18 may not be assigned to night work or overtime work; nor may they be sent on work-related travel without their consent. Using them for weekend or holiday work is also forbidden (Labour Code, art. 321).

162. Article 322 of the Labour Code establishes for employees aged under 18 an annual paid leave entitlement of at least 31 calendar days, which may be taken as the employee sees fit.

163. Under article 326 of the Labour Code, employers are obliged to hire graduates of general education institutions with first- and middle-level vocational training and persons under 18 in particular need of social protection having problems finding work (orphans and recent graduates) if such people are referred to them by State employment service bodies for placement under a quota set by the local Kenesh. Refusal to hire people in these categories is prohibited and appealable before the courts.

164. In order to prepare young people for the world of work, students 14 years of age or older from general education schools, vocational training schools or specialized secondary institutions may, with the consent of a parent or person acting in loco parentis, be recruited for light free-time work which is not detrimental to their health and does not interfere with their studies.

165. To protect children's life and dignity, the Criminal Code provides regulations concerning crimes, penalties and liability for persons found guilty of involving children in criminal activities, begging or prostitution, or responsible for getting minors drunk or inducing them to use drugs or other intoxicants for non-medical purposes.

Article 11

166. According to information from the National Statistics Committee of Kyrgyzstan, the population's expenditure level exceeds income, as can be seen from the following table.

Monetary income and expenditure of the population
(based on information from a survey of 11,000 households)

	1994	1995	1996
Monetary income per person, in som	102.49	150.62	204.51
Expenditure on goods and services, per person, in som	104.25	153.52	206.12

167. In March 1996, under the World Bank's social safety net project, the National Statistics Committee carried out the first of four planned multi-purpose surveys of the population's standard of living. Two thousand households were surveyed utilizing a programme applied during a test survey carried out in 1993.

168. The 1996 survey results revealed continuing significant variations in expenditure distribution, although the polarization was stronger in 1993. For example, whereas in 1993 the bottom 50 per cent of households in income terms received only 15 per cent of total income, the top 10 per cent approximately 40 per cent, and the top 1 per cent over 10 per cent, in 1996 the corresponding figures were 18 per cent, 34 per cent and 7 per cent. The trend towards more even income distribution is reflected in the decline of the Gini coefficient in recent years. From 1985 to 1990, it held steady at 0.3. Then it rose until 1994, when it began to drop. In 1993 it stood at 0.54, and in 1996 at 0.46.

169. According to the data from the 1996 survey, 49.2 per cent of households were poor, including 23.6 per cent which were very poor, as against 40 per cent and 25 per cent, respectively, in 1993.

170. While the proportion of income spent on food was approximately the same for all population categories, poor households spent significantly less on non-food goods and services. They also received less income than non-poor households from the sale of livestock and produce from subsidiary plots.

171. In order to determine poverty indicators, calculations have been made of the minimum monetary income required for the maintenance of an acceptable standard of living. The minimum income levels required for the various age groups are given below:

	Som per person per month
1 to 3-year-old children	222.72
4 to 6-year-old children	261.50
7 to 13-year-old children	314.74
14 to 17-year-old children	321.64
Adult males	340.24
Adult females	297.77
Elderly persons	284.28

Using these figures, an absolute poverty line can be defined for any given household. For example, a family of four (comprising a husband, wife and two children aged 5 and 12) would have a poverty line of 1,214.25 som.

172. The survey found that the number of poor had increased in all regions. However, while Naryn region was worst off in 1993, by 1996 the southern regions were poorest. According to this year's survey, 65.7 per cent of households were poor in the south, compared with 37.5 per cent in the north. Poverty was most prevalent in Osh (66.1 per cent), Jalal-Abad (64.8 per cent) and Talas (53.6 per cent) oblasts. The smallest proportion of poor was found in Bishkek (27 per cent).

173. The poverty indicators differed significantly between urban and rural areas. Poverty predominated in rural regions: rural households are one and a half times more likely to be poor than their urban counterparts. Because the average household is somewhat larger in rural than in urban areas, the disparity between the numbers of poor people in rural and urban areas is greater still. Oblasts differ markedly in the distribution of poverty between urban and rural areas. This survey showed that in Talas oblast 21 per cent of city-dwellers and 62 per cent of rural people were poor. The picture was reversed in Naryn and Chu oblasts, with the proportion of poor people being higher in urban areas than in rural ones. In Chu oblast the proportion of people living in poverty was 1.1 times greater in urban areas than in rural areas. In Naryn oblast it was 1.7 times greater.

174. The proportions of urban poor were highest in the towns of Naryn (56.5 per cent), Osh (55.2 per cent) and Jalal-Abad (55 per cent). Rural poverty rates were highest in Jalal-Abad and Osh oblasts (71.3 per cent), and Issyk-Kul (63.9 per cent) and Talas (62.1 per cent) oblasts. The situation

was worst in Osh oblast: poverty was commoner than anywhere else in the country and the proportions of poor were high both in urban areas (55.2 per cent) and in rural areas (71.3 per cent). Roughly one in four households were within the bottom 20 per cent by income. Ranked in descending order of poverty prevalence, the regions appeared as follows: Osh, Jalal-Abad, Talas, Issyk-Kul, Naryn and Chu oblasts, and Bishkek.

175. In terms of poverty by ethnic group, the worst off were the Uzbeks (72.5 per cent) and Kyrgyz (56.5 per cent). This is mainly attributable to the predominance of Uzbek households (95 per cent) in the southern part of the country, where poverty is more prevalent. Households headed by Kyrgyz were most likely to fall into the poor and very poor category. The Kyrgyz, as an ethnic group, had the worst readings for all poverty indicators. The poverty rate is lowest among Russians and other nationalities in the Slavic group. Migration was a significant contributor to the rise in the poverty rate. Those emigrating from Kyrgyzstan were mainly specialists and well-to-do families who could be confident of building a new life elsewhere; poorer people stayed behind. Internal migration increased poverty rates in the cities, as it was generally young people unable to find work in rural areas who migrated to the towns, and not all of them were able to secure a salary ensuring an acceptable level of living.

176. The survey showed a correlation between poverty and the number of children in the household. The more children in a family, the greater the risk of falling into the poor or very poor category. The risk of poverty in families with three or more children was high.

177. Very little link was found between poverty and the education level of the head of household. Thus, households in which the head had a higher or specialized secondary education often fell into the extremely poor category. While in 1993 5.9 per cent of urban and 15.8 per cent of rural families headed by people with higher education fell into the extremely poor category, in 1996 the figures were respectively 9.5 per cent and 19.2 per cent. The proportion of households whose head had a specialized secondary education rose over the same period from 9 per cent to 21 per cent in towns and from 23 per cent to 34 per cent in the countryside.

178. As regards the economic status of the head of household, the highest risk of falling into the poor category was found among the unemployed and women who had eschewed employment in order to care for their children. For other categories, the economic status of the head of family had practically no influence on the status of the household. The self-employed had a relatively low poverty rate.

179. The standard of living has thus declined sharply in comparison with 1993. The poor account for 49.2 per cent of the country's population. The poverty is not "superficial", as a large number of households are in extreme poverty. Poverty is most prevalent in the south and among the rural population. The risk of being in the poor category is greater for Kyrgyz than for other ethnic groups.

180. The minimum wage, which was raised to 90 som as from July 1997, is so low (12-13 per cent of the minimum consumer budget) that it cannot even cover the physiological requirements for food. A regular household budget survey by the National Statistics Committee showed that in spring 1996 real food consumption by the poorest 10 per cent of the population amounted to 156 som per person. At current prices the same basket of foodstuffs would already cost 190-200 som, even though the range and quantities of products involved are extremely modest; for example, 325 grams of meat per week, or 2.5 eggs per month. On such a shopping basket a person can hope for little more than to survive.

181. The WHO-defined daily calorie intake, according to which an adult male requires approximately 2,750 kilocalories per day to sustain his health and everyday activity, has been adopted as a standard for Kyrgyzstan. That category covers all men from 18 to 59 years of age. The required amounts are lower for women, children and pensioners than for adult males. Taking the equivalent for an adult male as a basis, a second category can be defined for adult women, namely 80 per cent of the calorie requirement for adult men. Children up to age 3 need only 49 per cent of the calorie consumption of adult men, children from 4 to 6 64 per cent, children from 7 to 13 and women over 54 78 per cent, and children from 14 to 17 89 per cent. The survey revealed that, because of the high poverty level, the average calorie intake was considerably below the WHO-recommended standards.

182. A high proportion (over 60 per cent) of total household expenditure goes on food; there are no significant differences between poor and non-poor households in this respect. Produce grown on private plots accounts for a high proportion of the food consumed by people in rural areas. The poorer the household, the higher the proportion of home-produced food consumed.

Consumption of food in Kyrgyzstan

	1994	1995	1996
Bread and baked goods	122.8	133.6	129.8
Potatoes	52.9	50.8	55.0
Vegetables and melons	65.0	79.0	88.8
Fruits and berries	34.6	43.2	50.4
Meat and meat products	24.7	24.8	22.8
Milk and dairy products	153.2	171.1	152.2
Vegetable oil and margarine	6.5	7.1	7.8
Sugar and confectionery products	9.2	9.8	11.6
Eggs (units)	63	67	60
Fish and fish products	0.2	0.4	0.4

Consumption of food per person (per day)

Year	Protein		Fats		Carbohydrates		Energy value	
	Grams	As a percentage of the daily requirement	Grams	As a percentage of the daily requirement	Grams	As a percentage of the daily requirement	Grams	As a percentage of the daily requirement
1993	53.5	64.7	54.5	63.8	339.3	82.2	2 069.7	75.2
1994	47.9	58.0	47.0	55.0	304.6	74.0	1 839.8	66.8
1995	51.7	78.3	50.7	88.9	331.4	90.5	1 996.2	88.7
1996	49.7	75.3	49.4	86.7	333.2	91.0	1 983.7	88.2

183. The situation is especially serious among children. Over 9 per cent of pre-schoolers are severely undernourished (in 1993 the figure was 7 per cent). Undernourishment is commonest among children under two and becomes less frequent with age. Since 1993 the proportion of undernourished children in Bishkek has doubled to become the highest in the country (14.1 per cent among pre-schoolers and 9.1 per cent among children from 7 to 11 years of age). As before, the proportion of undernourished children in Issyk-Kul oblast is high (14.1 per cent among children up to age 6 and 6.8 per cent among those from 7 to 11 years of age). The proportion of undernourished children has also risen in the other regions.

184. Undernutrition is far less common among the adult population. Chronic calcrie deficiency affects 3.1 per cent of men and 5.1 per cent of women. The highest proportions are found in young adults from 18 to 29 (5.1 per cent of men and 7.9 per cent of women). Chronic calorie deficiency is nearly twice as prevalent among young people as among the middle-aged.

185. Among adults, obesity is a more serious problem than undernutrition. Excess body mass and obesity are more common among women (11.3 per cent) than men (5.3 per cent). There is an especially large proportion of women over 50 with excess body mass. The highest proportion of people suffering from obesity is in Bishkek and the lowest in Naryn oblast.

186. The survey provided evidence that nutrition levels are not always directly dependent on monetary income levels. It revealed that in Jalal-Abad and Osh oblasts, where per capita monetary income were very low, the daily calorie intake was above the national average, while in Talas and Naryn oblasts, where income levels were average, nutrition levels were very low.

187. The increasing poverty has been reflected in the population's nutrition. For all sex and age groups, the average calorie intake is lower than required. Undernourishment affects 16.7 per cent of infants (children under age one), with the greatest numbers of such children being in Issyk-Kul oblast and Bishkek. Among adults, unemployed people between 18 and 29 suffer most from undernourishment.

188. In 1997, agricultural production was 10.7 per cent higher than in 1996 and 10.5 per cent higher than foreseen in the outline plan. In 1997, prices for cereals, vegetables, potatoes, melons, and milk were lower than in 1996 because of increased production, but also as a result of the underdeveloped state of the produce market and the brake that low income levels placed on demand. The increase in production was largely attributable to a rise in crop output, which was 19 per cent higher than the previous year and 17.8 per cent higher than the level foreseen in the outline plan. In general terms, the increase in agricultural production resulted from a combination of progress towards market liberalization and the establishment of a multi-layer production system, greater financial reward for producers and State support.

189. There were also qualitative improvements in livestock production, with increases in animals' productivity and reductions in losses from disease. As a result, gross livestock production grew by 1.3 per cent in comparison with the previous year and by 4.4 per cent in comparison with the outline plan. The average milk yield increased by 44 kilograms (2.3 per cent) and average wool yield by 0.3 kilograms (10 per cent).

190. Under the Constitution of Kyrgyzstan (art. 33), citizens have the right to housing. The State assists in the realization of this right by providing and selling housing from the State housing stock and by encouraging individual residential construction. According to statistics, the housing situation stands as follows:

Provision of housing (average total floor space per person, in square metres)

Year	Overall	Urban	Rural
1993	12.9	14.2	12.2
1994	12.9	14.4	12.0
1995	12.7	14.0	12.0
1996	12.6	13.9	11.9

Improvement in housing conditions

	1994	1995	1996
Total number of families on housing waiting list, including:	58 401	39 850	38 086
Families of invalids, veterans of the Great Patriotic War, deceased servicemen and others	1 077	856	784
Large families	9 340	5 442	6 052
Young families	6 011	4 670	2 926
Total number of families that received housing and improved their housing conditions including:	2 884	1 279	1 222
Families of invalids, veterans of the Great Patriotic War, deceased servicemen and others	55	55	38
Large families	936	369	247
Young families	594	159	116
Families that received housing and improved their housing conditions as percentage of families on waiting list at beginning of year, overall	3.6	2.2	3.1
Families that received housing and improved their housing conditions as percentage of families on waiting list at beginning of year, by category:			
Families of invalids, veterans of the Great Patriotic War, deceased servicemen and others	5.0	5.1	4.4
Large families	8.1	4.0	4.5
Young families	5.0	2.6	2.5

Article 12

191. The Constitution, in article 34, recognizes the right of every person to the highest possible level of physical and mental health.

192. Since independence, the Parliament has adopted six laws concerning health. A draft law on psychiatric assistance and safeguarding of rights when it is given has been drawn up and is being considered by the Zhogorku Kenesh. All population groups are covered by a coherent State health-care system, with special attention being paid to women, pregnant women and parturients, children under 14 and other particularly vulnerable population groups, such as the elderly and the disabled. An important feature of this system, which provides full medical coverage to all parts of the population without any ethnic or sexual discrimination, is that it brings qualified medical assistance to the most isolated locations.

193. A State "Healthy nation" programme has been adopted, the main aim of which is to maintain the nation's healthy gene pool by, for example, providing medical assistance well before conception, during pregnancy and from the moment of birth, throughout citizens' lives and into old age.

194. The population's physical and mental health is recognized as satisfactory. In recent years, owing to the deterioration of the socio-economic situation, there has been an increase in social illnesses such as alcoholism, drug addiction and a number of infectious diseases, including tuberculosis and sexually transmitted diseases.

195. There has been a decline in recent years in the population's natural growth rate. In 1996, natural growth was 16.1 per thousand, or 37.5 per cent lower than in 1986. The principal reasons are that over the same period the birth rate fell by 29.7 per cent and the crude death rate rose by 19 per cent.

196. Statistical information is elaborated annually on all main health indicators and the operations of general health establishments at all levels. Statistical reporting is coordinated by the State statistics bodies, which, on the basis of the year's results, draw up a handbook presenting the main indicators for all economic sectors, including the health-care sector. In recent years, special attention has been paid to bringing statistical reporting into line with the requirements of the Statistics Bureau and WHO. Information from the reporting is used in all economic sectors, including health care. A medical information centre operates within the Ministry of Health. Every year, it analyses and assesses the basic statistics for each individual health-care service.

197. The statistical information of recent years shows that pregnant and lactating women and preschool children are the most vulnerable population groups.

Morbidity of children from 0 to 14 years of age (per 1,000)

Disorders	Number of cases registered	
	1995	1996
Total	697.3	680.3
Infectious and parasitic diseases	72.8	69.7
Endocrine system and metabolic disorders	42.5	43.9
Blood and haematopoietic system disorders	41.7	49.2
Nervous system disorders	65.8	65.0
Respiratory system disorders	281.5	264.7
Digestive tract disorders	50.1	54.2
Urinary system disorders	11.9	13.5
Bone and muscle tissue disorders	6.9	6.5
Congenital anomalies	6.2	6.2
Trauma and poisoning	46.0	32.1
Mental disorders	8.9	9.3

198. A draft law on environmental protection has been prepared and is currently in the consultation phase. Work is drawing to a close on laws on drinking water, food safety and radiation safety.

199. The national Environmental Action Plan (NEAP) has been drawn up.

200. Within the health system, the control of epidemic (or infectious) diseases and occupational illnesses is the responsibility of bodies and institutions of the health and epidemiological service. A specific recording and reporting system is used to ensure constant monitoring of morbidity. Disease control is effected through special response measures in cases of epidemics and also through preventive measures, such as State and national prevention programmes. "Immunoprophylaxis", "Tuberculosis", and "Prevention of AIDS and sexually transmitted diseases" are three examples of such programmes; others are being drawn up for the control of brucellosis, viral hepatitis and malaria.

201. Measures to preserve the health of people working in unhealthy or hazardous conditions include not only efforts to reduce such conditions' adverse effects but also the adoption on 25 June 1997 of government Decision No. 374 on the distribution free of charge of milk and equivalent food products, cleansers and disinfectants to people working in harmful conditions.

202. Approximately 84 per cent of the population has access to piped water (100 per cent in urban areas and 75 per cent in rural areas). While all cities have piped water, 639 villages with a total population of over 700,000 people do not. In many cases, the existing water distribution system is in such a condition that it cannot provide safe water. About 40 per cent of water pipes are in need of repair. Access to good quality drinking water remains one of the most urgent problems facing the country.

203. In the event of illness, both out-patient and in-patient care are available. In accordance with article 34 of the Constitution, the State health-care system provides guaranteed basic medical assistance free of charge. With the introduction of mandatory medical insurance, there is more of an opportunity to provide medical services additional to the basic services. In all, for the provision of medical assistance, the country has 601 general out-patient clinics and 349 in-patient facilities.

204. In keeping with the WHO Expanded Programme on Immunization (EPI), children throughout Kyrgyzstan are immunized against diphtheria, whooping cough, tetanus, measles, polio and tuberculosis. Over 95 per cent of children, whether they live in urban or rural areas, receive the primary vaccine complex, or PVC. Every year, some 2.1 million PVC inoculations are administered. Effective work is being carried out in accordance with a WHO programme aimed at eliminating polio by the year 2000. Between 1995 and 1997, there were three rounds of two-stage immunization of children up to the age of four against poliomyelitis (Operation MECACAR); in all, 98 per cent of the children in the age group were covered.

205. Medical assistance is provided to women during pregnancy, at birth and in the postpartum period at State maternal health-care facilities ranging from midwife clinics to national specialized centres. At all levels, the medical assistance provided by maternity care facilities is free of charge.

206. According to the Ministry of Health guidelines, an early check-up of pregnant women should take place before the twelfth week, with a complete clinical examination and constant observance of developments until birth. At the 32nd or 33rd week, pregnant women are granted statutory leave of 112 days. In the event of complications in the pregnancy, the pregnant woman is hospitalized as an in-patient. For labour and delivery, women are admitted to their local maternity homes.

207. Home births have become more frequent in recent years, rising to 2,100 cases per year (these women too are subsequently hospitalized for treatment and observation).

208. The main indicator for maternity care and delivery services is the maternal mortality rate, which has in recent years stood between 65.0 and 72.0 per 100,000 live births.

209. Medical services for children from birth up to age 14 are provided at maternal and paediatric health-care institutions. Medical assistance for children is provided free of charge at all levels, from midwife clinics to specialized paediatric clinics, and is regulated by the basic guidelines

issued by the Ministry of Health. Paediatric care is administered along geographic lines. All children up to the age of 14 are examined annually by paediatricians and other specialists so as to detect any possible disorders. Children found to be sick are registered on clinical rolls for treatment at paediatric centres and sanatoria. In-patient care is also provided free of charge for the country's children, though when certain medicines are lacking at hospitals, the medication must in some cases be obtained by the parents.

210. The figures most indicative of the demographic situation are the mortality rates among mothers and children, which in recent years have ranged from 67.2 to 66.6 and from 28.1 to 25.9, respectively. Maternal mortality is showing no decline either during pregnancy and childbirth or in the early postnatal period. The main reason for maternal mortality is EPH gestosis with extragenital pathologies (disorders of the kidneys, liver, cardiovascular system, etc.).

211. Morbidity and mortality levels among children up to five years of age remain high for bronchopulmonary disorders. In the last three years, the infant mortality rate (per 1,000 live births) has stabilized and begun to decline somewhat.

1993	1994	1995	1996
31.9	29.1	28.1	25.9

The following table shows infant mortality by region and for urban and rural areas:

	1994			1995			1996		
	Overall	Urban	Rural	Overall	Urban	Rural	Overall	Urban	Rural
National infant mortality rate	29.1	32.3	28.0	28.1	32.7	26.6	25.9	29.9	24.5
Osh oblast	30.9	32.0	35.0	30.2	35.9	28.8	29.9	35.6	28.5
Jalal-Abad oblast	28.7	21.3	30.8	26.2	22.6	27.2	24.2	21.4	25.0
Talas oblast	26.0	43.2	23.7	26.9	47.1	23.6	20.7	43.0	17.6
Naryn oblast	28.9	43.1	25.0	29.8	40.2	26.7	22.5	31.3	19.8
Issyk-Kul oblast	27.3	27.7	27.1	29.8	40.2	26.7	22.5	31.3	19.8
Chu oblast	18.2	17.8	18.3	18.3	20.1	17.9	17.0	17.6	16.9
Bishkek	44.1	44.2	33.1	37.1	37.6	21.7	30.3	30.1	66.7

Stillbirths account for 83 per cent of perinatal mortality, i.e. the ratio of stillbirths to early neonatal fatalities is 1:1.2. Deaths in the early perinatal period account for 24.9 per cent of all infant mortality.

Trends in perinatal and early neonatal mortality, stillbirths and maternal mortality in Kyrgyzstan

	1993	1994	1995	1996
Perinatal mortality per 1,000 live and stillbirths	14.0	12.1	12.3	12.5
Early neonatal mortality (per 1,000 live births)	7.5	6.5	6.4	6.1
Stillbirths (per 1,000 live and stillbirths)	6.6	5.7	5.9	6.3
Infant mortality (per 1,000 live births)	31.9	29.1	28.1	25.9
Fertility	26.1	24.6	26.0	23.6
Maternal mortality (per 100,000)	80.1	80.1	67.2	66.6

212. The primary causes of stillbirths are extragenital disorders, followed by midwife or delivery errors. Much attention has thus been paid to ensuring the health of women outside pregnancy, starting from adolescence. This includes:

Preventive and curative care for gynaecological disorders in adolescents;

The timely detection and treatment of extragenital disorders in women outside pregnancy;

The treatment of women from the risk group for urogenital infection;

Observance of appropriate birth intervals.

213. The Government for its part has adopted the "Healthy nation" State programme and "Ayalzat" national programme setting out specific steps to reduce perinatal mortality and stillbirths. In particular, perinatal centres have been set up in Bishkek and Osh to follow the cases of pregnant women from groups with a high risk of perinatal complications. The construction of a perinatal centre in Talas is nearing completion.

214. On 26 September 1997 the Government issued Decision No. 560, containing the following lists:

The categories of persons entitled to out-patient and clinical treatment on preferential terms;

The categories of persons entitled to dental and hearing prostheses free of charge.

Article 13

215. The legal principles relating to education are adequately covered in the Constitution and other normative legal instruments. Kyrgyz law on education generally corresponds to international standards, especially since the adoption in 1992 of the Education Act. The Act proclaims that education is a priority in the social system and an indispensable condition for the country's sustainable development.

216. Under article 32 of the Constitution, every citizen has the right to education. Article 2 of the Education Act stresses that this right is to be realized without discrimination.

217. Education in Kyrgyzstan is based on the following principles:

All citizens are equally entitled to receive an education;

Education in State institutions must be free of charge within the limits of State standards for education, and fee-paying education must be made feasible;

Education should be humanistic in nature and should emphasize values common to all mankind;

Education should be oriented towards academic accomplishment and international educational standards;

Education should be systematic and uninterrupted;

Education should be independent of political and religious institutions;

There should be a variety of educational establishments offering diverse forms of teaching, with different types of activity and different forms of ownership;

Instruction at State educational establishments should be secular;

Education should be accessible to all and the education system should correspond to the levels and particularities of students' preparation and development;

Conditions should be conducive to the identification of especially talented students and the development of their potential;

It should be possible for alternative and non-State educational establishments to operate.

218. Under article 32 of the Constitution, the State ensures access for all, in accordance with each person's capabilities, to vocational, specialized secondary and higher education. The Education Act provides that access to education shall be ensured through:

The establishment of an education system responding to the interests of the individual, society and the State;

The creation of the necessary social and economic conditions for free basic, vocational and, on the basis of competitive access, complete secondary and higher education at State educational establishments within the limits of State educational standards;

The social and legal protection of students and pupils irrespective of the type of instruction or educational establishment.

219. State policy gives priority to the funding of education and the remuneration of education workers. The State upholds the prestige of the teaching profession and academic activity and offers tax concessions in that regard.

220. Kyrgyzstan has a coherent, continuous and multi-level public child-care and education system (covering pre-school, school, out-of-school, secondary, specialized, vocational and higher education).

Reduction in the number of pre-school institutions

Year	No. of pre-school institutions	No. of children enrolled
1990	1 696	211 571
1992	1 380	143 235
1994	639	58 922
1996	449	47 343

Information on out-of-school establishments

Year	No. of out-of-school establishments	No. of children studying at out-of-school establishments	Total school enrolment	% coverage
1992	171	128 161	944 000	13.6
1995	118	99 240	968 000	10.2
1996	117	96 320	1 002 400	9.6

Information on the number of general education schools and enrolment (all types of school and forms of ownership)

Type of School	1992		1995		1996	
	No. of schools	No. of pupils	No. of schools	No. of pupils	No. of schools	No. of pupils
State schools, total	1 862	954 700	1 867	972 400	1 890	1 007 100
Day schools	1 825	944 600	1 867	972 400	1 890	1 007 100
Elementary	108	5 600	104	8 800	108	9 600
Incomplete secondary schools	218	44 000	316	96 000	271	63 300
Secondary schools	1 474	889 900	1 428	864 200	1 492	930 800
Schools for children with developmental deficiencies	25	5 100	19	3 400	19	3 400
Evening schools	37	10 100	-	-	5	1 000
Private schools	-	-	19	1 800	25	2 600
Private-cum-State schools	5	971	11	1 800	11	2 100

Information on specialized secondary education establishments

	1991/92	1992/93	1993/94	1994/95	1995/96
No. of establishments	48	50	50	52	54
No. of students enrolled	42 700	40 900	38 600	32 700	29 400
Day schools	32 100	30 200	28 700	24 900	22 700
Evening schools	1 900	1 800	1 200	1 300	800
Correspondence schools	8 700	8 900	8 700	6 500	5 900

Information on institutions of higher education up to the 1995/96 academic year

(Including non-State higher educational establishments)

	1991/92	1992/93	1993/94	1994/95	1995/96
No. of institutions of higher education	12	13	18	22	32
Total No. of students	58 000	53 600	52 200	55 200	64 600
Day courses	40 500	38 400	38 400	39 900	47 400
Evening courses	3 200	2 900	2 700	2 000	1 700
Correspondence courses	14 300	12 300	11 100	13 300	15 500

221. The number of people in Kyrgyzstan with (completed or incomplete) higher or secondary education (per 1,000 persons 15 years of age or older) stood at 872 in 1997, including 101 persons with completed higher education, 15 with incomplete higher education, 150 with specialized secondary education, 409 with general secondary education and 197 with incomplete secondary education.

222. At the beginning of the 1996/97 academic year there were 1,890 general education schools in operation, with an enrolment of about 1,007,100.

Enrolment, by type of instruction

	1992/93	1993/94	1994/95	1995/96	1996/97
Total enrolment	1 096 500	1 079 600	1 079 900	1 090 900	1 127 800
General education schools	954 700	946 700	953 600	972 400	1 007 100
Vocational training schools	47 300	42 100	38 400	32 000	26 500
Specialized secondary schools	40 900	38 600	32 700	29 300	27 500
Institutions of higher education	53 600	52 200	55 200	57 200	66 700
Vocational retraining and skill enhancement	78 200	50 900	32 200	14 200	10 200

223. Education is becoming increasingly differentiated. Whereas last year there were 197 schools offering in-depth studies in various subjects, there are now 270, including 65 gymnasiums and 33 lycées. Their total enrolment is 92,100, which is 85.3 per cent higher than last year.

224. Under the education reform, the education system is becoming increasingly decentralized, thus giving educational establishments the opportunity to draw up and introduce their own curricula. In 1996, 28 lycées and gymnasiums had their own curricula.

225. The number of private schools has grown. Twenty-three schools have received licences and nine have undergone certification. Thirteen Kyrgyz-Turkish lycées have opened and are now in operation.

226. The higher education system covers 43 specialties. Post-graduate studies for the degree of Candidate are offered at 15 higher educational

establishments, and doctorates at three. A phased computerization and re-equipment programme is under way for schools, vocational training colleges and higher educational institutions. One aspect of the reform of higher education has been an increase in the number of institutions of higher learning. In the past three years alone, 12 State and 11 non-State higher educational establishments and 24 branches of such institutions and educational advisory offices have opened in the various regions. The aim in opening such institutions is to ensure that youth in each of the country's regions are able to receive a high-quality, all-round education. At regional higher educational establishments which, like Jalal-Abad University, were set up simply by combining a number of technical secondary schools and without the requisite teaching materials, equipment, premises or qualified teaching staff, the quality of instruction is poor.

227. The vocational training system, in a flexible response to the restructuring of the economy, has embarked on a course of reform. One of the main aspects of the reform is the transformation of the system through investment projects. For example, vocational training is currently the subject of a World Bank credit project and of technical support provided free of charge by Germany and Turkey. Another project is planned for the near future with the Asian Development Bank.

228. In order to ensure social justice for adolescents, some 40 vocational training schools have been transformed into vocational lycées, where students receive both vocational and general secondary education. Multi-level educational clusters (comprising general schools, vocational training schools and higher educational establishments) are being set up in order to be able to offer better-quality instruction and the latest teaching technologies.

229. Vocational training schools now emphasize individualized instruction and work with each pupil. The approaches to drawing up curricula and programmes for specific occupations are thus being revised, as is the organization of the overall educational process. In order to improve youth's competitiveness in the job market, instruction is now available in dozens of new occupations of relevance to a market economy. In the first nine months of 1997, approximately 3,000 unemployed citizens were retrained in the vocational training system; most were adolescents lacking work experience. Because of the structural changes, in 1997 the number of students accepted at vocational training schools for State-financed training dropped by 13.5 per cent. Such students now number 12,300, as compared with the 13,500 foreseen in the outline plan.

230. The country's general educational schools include 19 special institutions providing a comprehensive education for children with physical and mental developmental deficiencies. Non-State teaching for handicapped children, including some who previously received no education, is now beginning to develop. Valuable work is being done by a humanitarian rehabilitation centre called "Umut" ("Hope") funded through charitable support from Germany.

Schools for children with mental or physical developmental deficiencies

	At the beginning of the academic year			
	1995/96		1996/97	
	No. of schools	No. of children	No. of schools	No. of children
Total	19	3 300	19	3 400
Jalal-Abad oblast	1	100	1	200
Issyk-Kul oblast	-	-	-	-
Naryn oblast	-	-	-	-
Osh oblast	4	700	4	700
Talas oblast	1	100	1	100
Chu oblast	7	1 100	7	1 100
Bishkek	6	1 300	6	1 300

231. Some schools in the country use Russian, Uzbek or Tajik as the language of instruction. The small ethnic groups living in Kyrgyzstan study their native languages (Dungan, Uigur, German and Turkish).

State general educational schools with various languages of instruction (excluding specialized schools)

Year	Total number of schools	Language of instruction									
		Kyrgyz		Russian		Uzbek		Tajik		Mixed	
		No. of schools	%	No. of schools	%	No. of schools	%	No. of schools	%	No. of schools	%
1992	1 796	1 122	62.5	143	8.0	120	6.7	2	0.1	404	22.8
1995	1 843	1 206	65.4	121	6.6	133	7.2	2	0.1	381	19.1
1996	1 867	1 223	65.5	123	6.6	134	7.2	2	0.1	385	20.6

232. In order to cater for pupils' various needs and abilities, the education system comprises schools of different types, forms of ownership and spheres of activity: there are 1,890 general schools, including 270 schools with in-depth study of specific subjects, 65 gymnasiums, 39 lycées, 2 boarding schools for children requiring a special educational and living environment, and 19 specialized schools for children with mental and physical developmental deficiencies.

Article 14

233. Under article 32 of the Constitution, citizens of Kyrgyzstan have the right to education. Basic education is mandatory and free, and everyone is entitled to receive it in State educational establishments.

234. Each citizen is entitled to receive free education at State educational establishments. State standards have been set for all levels of education and all types of educational institutions are required to meet them. The Education Act embodies the constitutional right of children to education irrespective of social or property status, nationality or religion and guarantees free basic and vocational education and, on the basis of competitive access, free education at institutions of higher learning. The "Bilim" national education programme provides for preferential treatment of children from disadvantaged families, handicapped children, children with developmental defects, children from problem families and orphans.

235. At the same time, the Constitution and the Education Act have for the first time introduced the possibility of setting up non-State (private) and fee-paying educational establishments. However, because of current funding practices, such schools are inaccessible to the majority of families.

236. Tuition fees are levied for instruction at institutions of higher learning and specialized secondary schools (colleges) and in faculties and departments organized on a commercial basis. Their amount is fixed by estimating the cost of tuition and is calculated as agreed between the institution of learning and the student. The commercial system for the training of supervisory staff is still in the formative development phase.

237. Article 6 of the Education Act stipulates that the State shall guarantee the right to education through the creation of the social and economic conditions required for free basic and general secondary education.

238. At present, under Ministry of Education, Science and Culture Order No. 45/1 of 16 February 1996, fees may, if the parents' committee and the school council so decide, be charged for the acquisition and use of textbooks and for additional educational and social services. Such raising of extrabudgetary funds may only be carried out at the written request of the students' parents or of persons acting in their stead.

Article 15

239. Article 36 of the Constitution establishes freedom of culture, art, literature, science and the mass media. Citizens have the right of access to the benefits of culture and the right to engage in artistic and scientific pursuits. Every citizen has the right freely to express and disseminate thoughts, ideas and opinions, the right freely to engage in creative work in literature, art, science and technology, and the right to freedom of the press and of the transmission and dissemination of information (art. 16).

240. The State preserves historic monuments and fosters the development of literature, art, science, the mass media and sports. In this connection, laws

have been adopted to further the realization of each individual's right to participate in cultural life; they include the Culture Act of 15 March 1992, the Copyright and Associated Rights Act, the Science and Foundations of State Policy on Science and Technology Act and the Computerization Act. In addition, the "Madaniyat" State programme for the development and preservation of culture and art in the period 1997-2000 was adopted on 14 October 1996.

241. In order to implement the policy aimed at fostering cultural life in Kyrgyzstan, the country has cultural, scientific and tourist centres, such as: the Sulaiman Too historico-cultural and natural site; the Uzgen archaeological and architectural site; the Shakh-Fazil archaeological and cultural site; the Burana archaeological and architectural site; the Issyk-Kul state historico-cultural museum reserve; the Gumbez Manasa Kyrgyz national historico-cultural museum site; and the Osh oblast historico-cultural and natural museum reserve, as well as 28 parks of culture and rest, 32 museums, 992 libraries and 511 clubs.

242. The Preservation and Enjoyment of the Historico-cultural Heritage Act was adopted on 22 October 1997. Its aims are the preservation and sensible use of historical and cultural heritage both of Kyrgyzstan and of all the country's peoples.

243. The "Dostuk" production company regularly makes television programmes depicting aspects of the life and activities of the ethnic minorities living in Kyrgyzstan. Recent broadcasts have been devoted to the theme of culture.

244. Close ties have been established with the Assembly of the Peoples of Kyrgyzstan and with the Otan, Izmuri and Bereginya ethnic cultural centres. Commemorations of other republics' independence days', celebrations of ethnic culture and programmes on social and political issues are all regular features of broadcasting in Kyrgyzstan.

245. There are at present 2,754 historical or cultural monuments with the status of national or local monuments:

654 historical monuments;

1,292 archaeological monuments;

412 architectural monuments;

396 monuments of art.

246. Among the main objectives in the cultural sphere are the development of and training for the artistic professions. In recent years, three new theatres have been set up, as well as a philharmonic society, a State conservatory, an arts academy and a number of orchestras and ensembles; examples include the Bishkek Municipal Theatre, the Tunguch Theatre and the Chu Oblast Youth Chamber Orchestra.

247. The nurturing of new talent is facilitated by the existence of an extensive network of institutions providing education or training in the arts.

There are currently 2 higher, 8 specialized secondary and 84 children's institutions of learning for music, with over 17,000 students and 2,125 teachers. Over and above the use of State resources, funds are actively sought from other sources to strengthen the institutions of learning both materially and technically. In 1996, many institutions received monetary grants from the Soros Foundation-Kyrgyzstan. The Meerim international foundation and other local and foreign charitable foundations provide constant material and moral support.

248. Cultural links with other countries have blossomed. Kyrgyzstan currently cooperates on questions relating to art and culture with 60 countries near and far.

249. Cooperation with such international cultural organizations as UNESCO, TYURKSOY, ECHO and the Soros Foundation has intensified and has produced concrete results. With the cooperation of UNDP, a $100,000 project to set up a library information system is being implemented at the National Library. The programme is being carried out in cooperation with Danish specialists.

250. This year, with the direct participation of the United States and Kyrgyz bar associations, a law library was opened using grants from international organizations. The centre is equipped with the latest computer technology. With the assistance of UNESCO, significant assistance has been received in the form of a $30,000 grant for the implementation of a programme for funding, conserving and restoring rare books.

251. Nonetheless, serious socio-economic obstacles to national and cultural renaissance have arisen. Various problems have been encountered: readership at libraries is falling and cultural institutions' collections, premises and equipment are deteriorating. In the past three years, some 200 libraries and over 100 cultural clubs have closed without any preliminary studies being carried out. The majority of the cutbacks have occurred in rural areas.

252. On the whole, State funding has not met the requirements of the Culture Act, which stipulates that no less than 3 per cent of the State budget should be earmarked for culture. In 1994, for instance, 22.9 million som, or 1.5 per cent of the State budget, was spent on culture. In 1995, the figure was 36.7 million som, or 1.6 per cent, and in 1996, 28.5 million som or 1.8 per cent.

253. Part Two of the Civil Code, which is to enter into force on 1 March 1998, makes provision for the protection of intellectual property. Section 5 of the Code is entitled "Intellectual Property". Under article 1037, the following are recognized as intellectual property:

(i) Results of intellectual endeavour, such as works of science, literature or art; sound recordings, and programmes of broadcasting organizations; computer programs and databases, integrated circuit topographies; inventions, prototypes, industrial models, organisms obtained by selection, and undisclosed information, including production secrets (know-how).

(ii) Identifiers of parties to civil transactions or of goods, work or services, trade names, trade marks (service marks) and names of places of origin of goods.

(iii) Other results of intellectual endeavour and identifiers of parties to civil transactions or of goods, work or services in cases provided for by law.

254. The Copyright and Neighbouring Rights Act governs relations arising in connection with the creation and use of works of science, literature or art, sound recordings, performances, productions and programmes broadcast by radio or cable. It states that works of science, literature or art resulting from creative activity are copyright, irrespective of their purpose, artistic value or means of expression (art. 6, para. 1). Authors are entitled to the following personal non-proprietary rights in respect of their works (art. 15, para. 1):

The right to authorship;

The right to the title;

The right to publication;

The right to protection of their reputation as the author.

Authors have exclusive rights to use their works in any form and by any means (art. 16, para. 1). Violations of copyright or of neighbouring rights laid down in the Act entail civil, criminal and administrative liability in accordance with the legislation of Kyrgyzstan (art. 48).

255. Freedom of scientific research is guaranteed by the Science and Foundations of State Policy on Science and Technology Act, which establishes the researcher's freedom in his work and protects his results. Under this Act, the State supports international scientific and technological cooperation, creates legal and economic conditions for it and fosters scientific and technological activities carried out on free and equal terms with international scientific associations, provided such terms do not contravene national law.

256. Kyrgyz researchers are currently actively participating in programmes of the European Union, such as INTAS, INCO-COPERNICUS, LIEN, COST and humanitarian programmes, as well as in programmes of the American Civil Research Fund, NATO, etc. Kyrgyz researchers have been invited as experts to assess scientific projects within international programmes.

257. The Government of Kyrgyzstan is actively engaged in establishing a working relationship with the international scientific community. A programme has been established for the implementation of treaties, agreements and memoranda of understanding signed by Kyrgyzstan with the European Union. This work is carried out at the level of the Prime Minister and reports on it are submitted to the President. The results of the work are communicated to the population through the mass media.

Measures for the dissemination of information on scientific progress

258. Information activities form an integral part of the State policy on science and technology, the aim being to ensure that information relating to scientific and technological progress in Kyrgyzstan and elsewhere benefits all members of society. The legislation covering scientific and technological information consists of the Science and Foundations of State Policy on Science and Technology Act, the Scientific and Technological Information System Act and other instruments, international treaties, agreements and rules of international law ratified by the country.

259. The Scientific and Technological Information System Act stipulates that all citizens and all judicial persons however owned have equal rights to open scientific and technological information and to information products and services.

260. One of the most important factors assisting in the preservation, development and dissemination of scientific and cultural achievements is the national library network. State policy concerning libraries is aimed at creating conditions for general access to the information and cultural treasures in libraries' collections. The development of libraries is taken into account in the relevant State programmes.

261. A draft law on libraries has now been drawn up on the basis of the Culture Act. Under this Act, all citizens are entitled, without discrimination, to library services within Kyrgyzstan (art. 5, para. 1). There are, however, a number of problems which need to be addressed. Many libraries are located in unsuitable premises, some of which are in very bad repair. In the past four years both acquisitions and readership have declined.

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